

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



W17a & W17b

ADDENDUM

[Click here to go to
original staff report](#)

June 9, 2015

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEMS W17a & W17b, APPEAL NOS. A-5-VEN-15-0026
and A-5-VEN-15-0027 FOR THE COMMISSION MEETING OF
WEDNESDAY, JUNE 10, 2015.**

I. Applicants' Letter

The Commission received a letter from the applicants' representatives dated June 5, 2015, included in this addendum. The letter requests that the Commission find that the appeals do not raise a substantial issue. The letter reiterates that following the City's final action and the filing of the appeals, the applicants have submitted revised plans showing drought tolerant non-invasive landscaping, gutters, downspouts, and rain barrels/cisterns in order to protect the biological productivity of coastal waters. The letter and accompanying exhibits also assert that the project is consistent with the community character of the area. Both of these issues were analyzed in the staff report and the letter does not raise any new issues.

II. Public Correspondence

The Commission received 35 letters and one email in support of the project between June 5, 2015 and June 8, 2015, all forwarded by the applicants representatives and included in this addendum. Most of the letters are in support of the unique architecture of the project and assert that it would enhance the character of the local area.

FRED GAINES
SHERMAN L. STACEY
LISA A. WEINBERG*
REBECCA A. THOMPSON*
NANCI SESSIONS-STACEY
KIMBERLY A. RIBLE
ALICIA B. BARTLEY

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LAW OFFICES OF
GAINES & STACEY LLP
16633 VENTURA BOULEVARD, SUITE 1220
ENCINO, CA 91436-1872

TELEPHONE (818) 933-0200
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INTERNET: WWW.GAINESLAW.COM

June 5, 2015

VIA FEDERAL EXPRESS

California Coastal Commission
c/o Commission Secretary
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

17.a,b

Re: Appeal Nos. A-5-VEN-15-0026, A-5-15-0027
416, 418-422 Grand Boulevard, Venice
Hearing Date: June 10, 2015- Items 17.a, b.
Opposition to Appeal

Dear Honorable Commissioners:

This office represents 422 Grand Blvd LLC and 416 Grand Blvd LLC, the respective owners of properties located at 416 and 418-422 Grand Boulevard, Venice. Our clients concurrently sought and obtained local coastal development permits to develop their respective properties with single family residences. The City of Los Angeles approved a three-story 4,816 square foot dwelling on two adjoining vacant lots located at 418 and 422 Grand Boulevard. On an adjacent vacant lot, located at 416 Grand Boulevard, the City approved a two-story 1,064 square foot dwelling. The approvals were appealed to the West Los Angeles Area Planning Commission, where the appeals were denied.

Both projects have now been appealed to the Coastal Commission on the grounds that the project has the potential to negatively affect the biological productivity of coastal waters and is not consistent with the character of the surrounding area. In truth, both projects are entirely consistent with the recent development pattern of the area, and are of a similar size and scale of the numerous two- and three-story dwellings constructed on the subject and adjacent blocks. The appellants bring this appeal primarily because of their objections to the design of the two projects, which objections do not rise to the standard of finding a substantial issue as to the conformity with Chapter 3 of the Coastal Act. **We write this letter in support of our client's request that the Coastal Commission deny the pending appeals of the City of Los Angeles' ("City") local coastal development permits for the respective projects.**

The Facts Support a Finding of No Substantial Issue.

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 60600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. The term “substantial issue” is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission’s regulation indicates that the Commission will not hear an appeal when it “finds that the appeal raises no significant question.”

Even when the Commission chooses not to hear an appeal, the appellants may nevertheless obtain judicial review of the local government’s coastal permit decision by filing a petition for writ of mandate pursuant to Code of Civil Procedure § 1094.5.

On behalf of our clients, we respectfully request that the Commission find that no substantial issue exists with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

A. The Projects Will Not Negatively Affect Biological Productivity of Coastal Waters.

As stated above, the respective local CDPs have been appealed in part on the ground that they did not include drainage or landscape plans, and therefore was inconsistent with Section 30231 of the Coastal Act. Section 30231 of the Coastal Act reads:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

However, as admitted in the Staff Report, after the appeals were filed, our clients submitted revised plans showing drought tolerant non-invasive landscaping, gutters, downspouts, and rain barrels/cisterns. While these elements were not specifically included in the respective projects prior to approval of the local CDPs, the City-approved projects are conditioned on conformance with the 2013 Green Building Code and the 2013 Building Code that mandate using energy efficient appliances, green building materials, and water conservation in new developments. The City-approved projects are likewise required to comply with the City’s Best Management

Practices for controlling runoff during and after construction. Moreover, the specific elements discussed above are part of the respective projects at this time. Granting the appeals with respect to this issue would most certainly be an idle act given the information now before the Commission. No substantial issue exists with regard to the respective projects' consistency with Section 30231 of the Coastal Act.

B. The Projects Are Visually Compatible with the Character of the Surrounding Area.

The second ground for the appeals is that the respective projects are inconsistent with the community character of the area. The properties are located in the North Venice subarea of the Venice Coastal Zone Specific Plan. The surrounding neighborhood is eclectic, with properties developed with 1- to 3-story single family and multi family dwellings with no prevailing architectural style.

The proposed construction of a single-family dwelling on each site is consistent with the RD1.5 zoning and with the historic use of the properties, which were previously developed with duplex buildings. The height, density, floor area, setback and parking for each home are consistent with the requirements of the Los Angeles Municipal Code and the Venice Coastal Zone Specific Plan. Each home is entirely consistent with the bulk and scale of the surrounding neighborhood.

It appears that the appellants' primary objection to the respective projects is that the projects appear to be designed as one residential compound. This is pure speculation, and design criticisms and commentary most certainly do not rise to a substantial issue with regard to consistency with the Coastal Act. In approving the subject projects, the City of Los Angeles specifically found that the projects were consistent other three-story single family residences that were recently approved by the Commission via de minimus waivers. Those developments were found to be consistent with the community character and were determined to have no negative impact on visual or coastal access. The same finding must be made here. The applicant's architect has prepared a point by point response to the issues raised in the Staff Report, which response is attached as Exhibit "A." Letters in support of the projects are attached as Exhibit "B."

No substantial issue exists with regard to the respective projects' consistency with the Coastal Act, and the Commission should decline to hear the subject appeals.

California Coastal Commission
June 5, 2015
Page 4

For the reasons stated above, we respectfully request that you deny the Appeals and determine that no substantial issue exists with respect to the provisions of Chapter 3 of the Coastal Act, pursuant to Public Resources Code § 30625(b)(1).

Thank you for your consideration of this matter.

Sincerely,

GAINES & STACEY LLP

By



FRED GAINES

cc: All Commission Members
Charles Lester, Executive Director
Commission Secretary
Jack Ainsworth
Charles Posner
Zach Rehm

EXHIBIT “A”

Appeal numbers: A-5-VEN-15-0026 & A-5-VEN-15-0027

Applicants: Melinda Gray AIA, GRAYmatter Architecture, 310 383 7860

422 Grand Blvd. and 416 Grand Blvd.

Coastal Commission Staff Report Response

Staff report included an incorrect set of drawings in the staff report. These are not what was approved in the City CDP, this is an older set that was modified during the planning stage. The ground floor of 416 Grand has habitable spaces as shown here. See Page 3.

Existing buildings demolished: Coastal Commission approved the demolition of the existing duplexes: 1 duplex spanned 416-418 and the other spanned 422 and 424 Grand. Both duplexes were subsequently demolished.

Landscape, drainage, construction debris best practices, water saving / reuse: Drought tolerant landscape design drawings, drainage plans, construction best management practices to control debris into the ocean and rain water cisterns for reuse for irrigation were submitted to the Coastal Commission April 2015.

Lot consolidation: Three lots are NOT being consolidated. The project is 2 separate houses with separate garages, separate CDPs. 416 is oriented on the west side of the lot to allow sunlight to the pool area of the 418-422. See page 2.

Community character:

-The 2 houses share common some similar building materials as do other side by side houses in the area. See page 3.

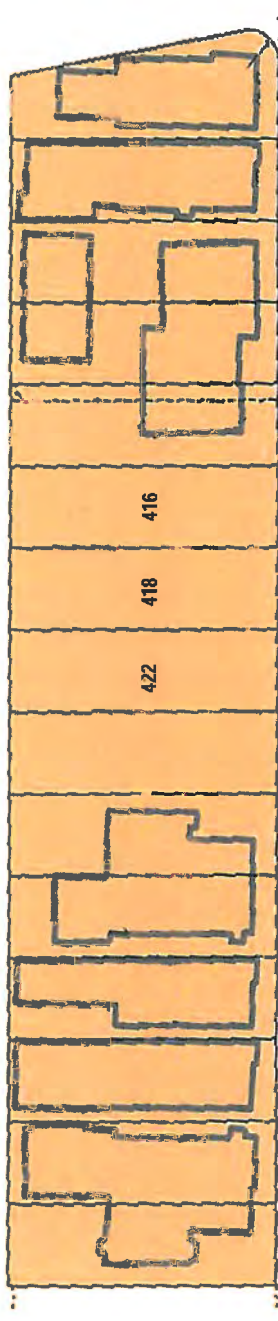
- The 2 houses have open space on the sides where the lots touch as did the original duplexes on the site and other duplexes on this block and in the area. See page 3.

-The facades are highly articulated with bays, balconies, window facing the street, awnings front porches/sitting areas, and pedestrian scale materials. See page 3.

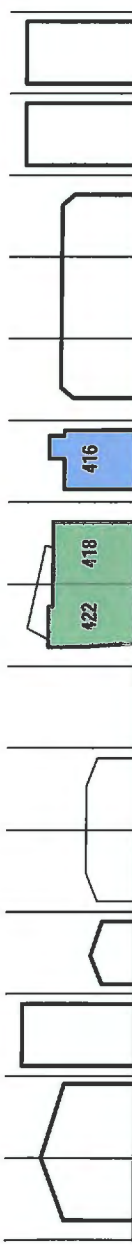
Scale: Grand Blvd. is 100 feet wide 4 lanes plus 2 parking lanes, wider than most other streets in Venice. It is NOT one of the tiny streets with tiny houses as in some other parts of Venice. It is modeled after the 100 foot wide Grand Canal in Venice, Italy where the residences at 35 feet in height are in scale with the larger Grand canal size. See page 2. Venice, Italy is a series of smaller canals and Abbott Kinney chose to refer to this design in his design of Venice, CA which has Grand as larger than all the other smaller streets.

3 other new residences on the block are of similar scale. Two residences on the block span several lots including the building next to 416. Requiring lower heights on this block would be out of scale with the current residences on this side. This side of the block is more relevant to the scale since the street is unusually wide. This is not in the small streets of Venice with tiny scale bungalows as Grand is a microcosm of its own. See page 2.

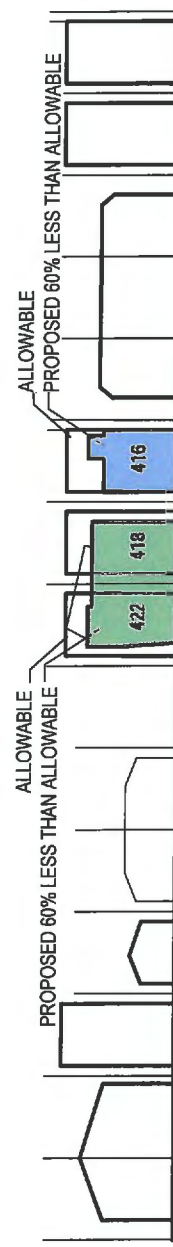
SCALE & MASSING



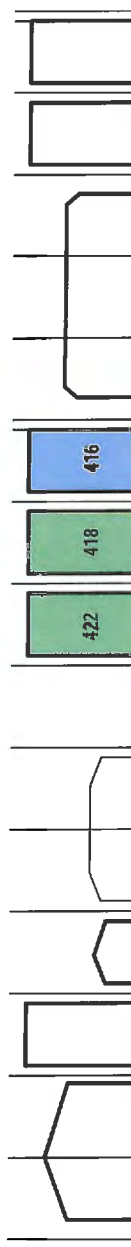
SOUTH SIDE OF GRAND BLVD.



EXISTING SOUTH SIDE OF GRAND BLVD. WITH PROPOSED 416 & 418



EXISTING SOUTH SIDE OF GRAND BLVD. WITH PROPOSED & POSSIBLE MASSING PER CODE SUPERIMPOSED ON EACH OTHER



SOUTH SIDE OF GRAND BLVD. WITH POSSIBLE MASSING PER CODE

SCALE: (See below)

Grand Blvd. is 100 ft. wide with 4 lanes plus 2 parking lanes, wider than most other streets in Venice. Historically, it is modeled after the 100 foot wide Grand Canal in Venice, Italy where the residences are 35+ ft. in height and still remain in scale with the canal width. Taller building helps integrate width of Grand Blvd.

There are 3 other new residences on Grand Blvd. that are 35+ ft. in height on this block and 2 directly behind on the alley. Two residences on the block span several lots. Requiring lower heights would be out of scale with the current residences on this side of the block and out of scale with the large boulevard. Grand Blvd. is not a small street in Venice with tiny scale bungalows. Grand Blvd. is a microcosm of its own.



GRAND CANAL, VENICE, ITALY



100 FT. WIDE GRAND BLVD.



SMALL VENICE STREET, CA

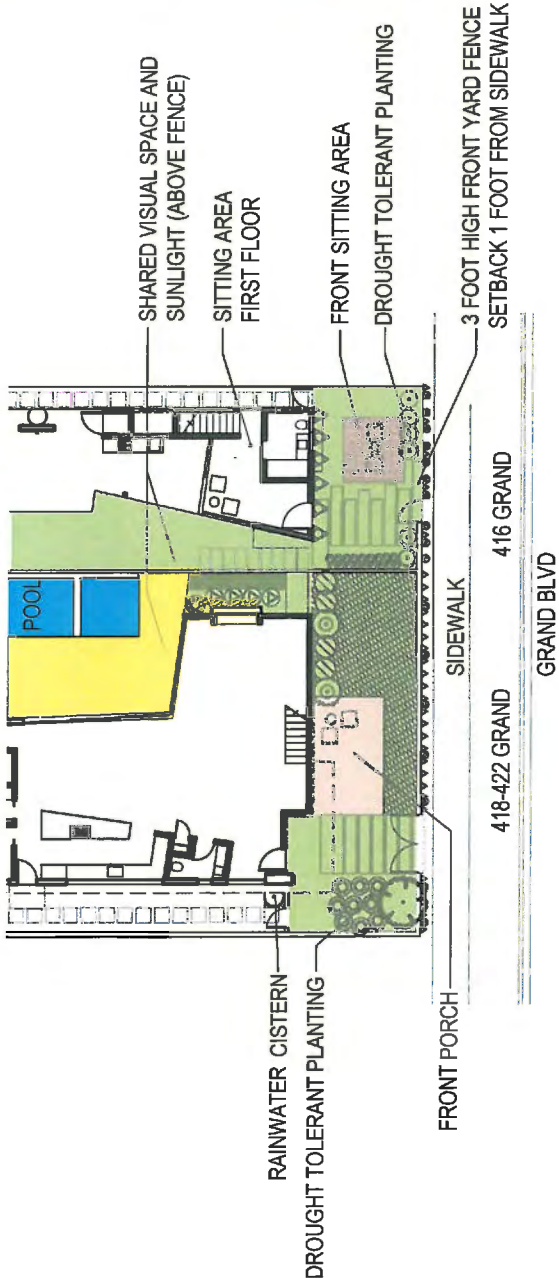


VINTAGE VENICE POSTCARD, 3 1/2 STORY HOUSES, BOTH SIDES OF CANAL, VENICE, CA.

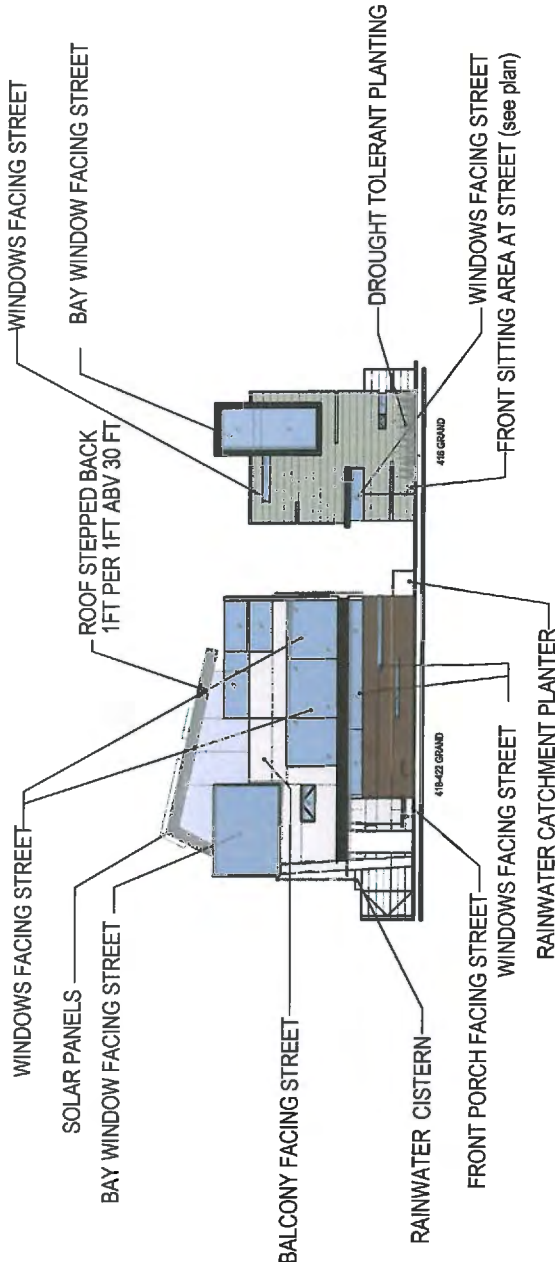
ARTICULATED FACADE: Front Porches, bays, balconies, windows facing street

BUILDINGS IN SURROUNDING AREA:

SHARED VISUAL SPACE AND SUNLIGHT



PARTIAL PLANS @ STREET



NORTH ELEVATIONS



EXHIBIT “B”

Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners

My wife and I have lived and worked in Venice for the past 18 years. We love calling Venice our home and were originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

I personally feel that there are some projects in the area that try and push the envelope of what the letter of the law allows people to build but feel that this project is being unfairly judged. I support this project and those involved with the project because I know they are not asking for anything that the common person setting out today could build based on the current letter of the law. The developer and the architect are building within their rights and they also happen to be local Venice area residents and artists. They understand the diversity and would never do anything to destroy the "Venice" feel of what our mix of architecture looks like. Their buildings are no larger than any other on the block and will only add to the diverseness of the community.

Please support this project and all the hard work and time that they have invested in having their project come to fruition. They've been more than patient with all the red tape that have had to deal with.

Thank you in advance,

A handwritten signature in black ink, appearing to read 'Louis Leal', with a long horizontal flourish extending to the right.

Louis Leal
1317 Palms Blvd
Venice, CA 90291

Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

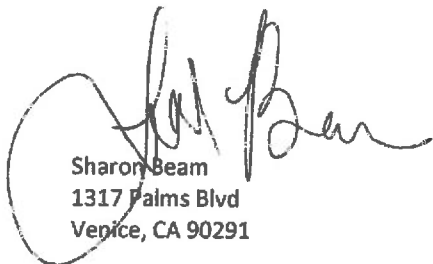
Dear Costal Commission Commissioners

My husband and I have lived and worked in Venice for the past 18 years. We love calling Venice our home and were originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

I personally feel that there are some projects in the area that try and push the envelope of what the letter of the law allows people to build but feel that this project is being unfairly judged. I support this project and those involved with the project because I know they are not asking for anything that the common person setting out today could build based on the current letter of the law. The developer and the architect are building within their rights and they also happen to be local Venice area residents and artists. They understand the diversity and would never do anything to destroy the "Venice" feel of what our mix of architecture looks like. Their buildings are no larger than any other on the block and will only add to the diverseness of the community.

Please support this project and all the hard work and time that they have invested in having their project come to fruition. They've been more than patient with all the red tape that they have had to deal with.

Thank you in advance,



Sharon Beam
1317 Palms Blvd
Venice, CA 90291

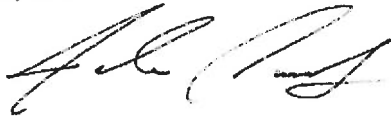
Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners,

I wanted to express my support of the project at 416-418 Grand Blvd. Please approve this project as well as similar ones in it's nature. I think the character of these projects add scale to the beautiful, unique neighborhoods in Venice.

My best,

A handwritten signature in black ink, appearing to read 'John Owens', with a stylized, flowing script.

John Owens
14 Wavecrest Ave, Venice, CA 90291

Thursday, June 4 2015

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners

I am writing this as I've been a long time resident of Venice. I wanted to write a letter giving my 100% support of the project at 416 - 418 Grand Blvd. I think their projects are amazing and actually bring a lot of character to Venice. The architecture is lovely and something that brings a lot of value not only to the street but the entire neighborhood as a whole. The quality of the build is impeccable and it is clear they put a lot of value and good work into what they're doing. This is an eclectic community and properties like theirs adds to the diverse, beautiful art I get to look at and love everyday.

I appreciate your consideration.

My best,


Samantha Torres
Resident of 922 Milwood, Venice, CA

Thursday, June 4, 15

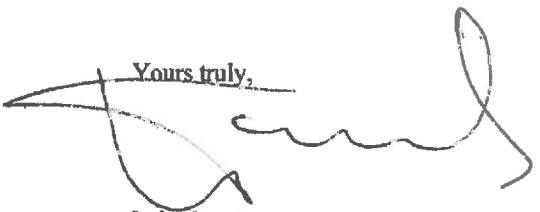
Dear Costal Commission Commissioners

RE: Project at 416 & 418 Grand Blvd

I've lived in Venice for a number of years and always enjoy all the eclectic styles and new projects that are going in to the neighborhood, keeping Venice vibrant, fresh and unique. I understand that 416 & 418 Grand Blvd are currently under review from the Coastal Commission and I wholeheartedly recommend you approve the project. Not only are they in keeping with the current improvement of the neighborhood, but they will also provide super cool, modern housing to all the amazing influx of people to Venice. People that keep our community fresh, alive and cutting edge.

Thank you for supporting this project.

Yours truly,



Luke Jones
567 Brooks Avenue
Venice, CA 90291

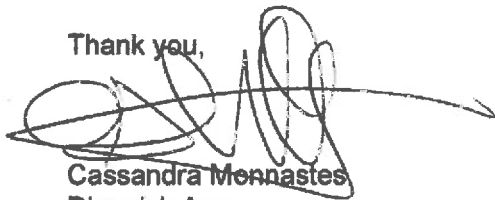
Wednesday, June 3, 2015

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners,

I encourage the board to honor the original approval of the project located at 416 & 418 Grand Blvd. As a long time resident of the Venice I appreciate and welcome the design and quality of these projects. They add to and accent the wonderful character that defines our Venice community.

Thank you,

A handwritten signature in black ink, appearing to read 'Cassandra Mennastes', with a long horizontal flourish extending to the right.

Cassandra Mennastes
Dimmick Ave
Venice CA
90291

Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners

I encourage the board to honor the original approval on this project located at 416 & 418 Grand Blvd.

Thank you in advance,

A handwritten signature in black ink, appearing to read 'Caroline Butler', with a long horizontal flourish extending to the right.

Caroline Butler
6430 Green Valley Circle #125
Culver City, CA 90230

Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners

I love the quality of all the new projects and their architectural flavor it adds so much to the neighborhood. I encourage the board to honor the original approval on this project located at 416 & 418 Grand Blvd. Their character and scale add to the eclectic neighborhood that I love.

Thank you in advance,

A handwritten signature in black ink, appearing to read 'Emma Petersen', with a long horizontal flourish extending to the right.

Emma Petersen
1524 Abbot Kinney Blvd
Venice, CA 90291.

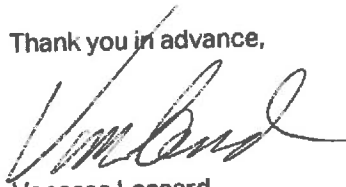
Thursday, June 4th, 2015

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners,

As a long time resident of Venice with a love for all things architectural, I strongly encourage the board to honor the original approval on this project located at 416-418 Grand Boulevard. Please approve said project and others that are similar in nature. I truly believe they add to the uniqueness of this city and would love to see more of them developed.

Thank you in advance,

A handwritten signature in black ink, appearing to read 'Vanessa Lessard', with a long, sweeping horizontal line extending to the right.

Vanessa Lessard
1524 Abbot Kinney Blvd.
Venice, CA 90291

June 4, 2014

RE: Project at 416 & 418 Grand Blvd

Dear Coastal Commissioners,

I work in Venice and enjoy seeing the new businesses and revitalization that is happening in this unique area of Los Angeles. I heard about this project at 416 & 418 Grand Blvd and support its development as it will positively contribute aesthetically to the community and local landscape of Venice.

Thank you in advance,

A handwritten signature in black ink, appearing to read 'Nicole Schlueter', with a stylized, flowing script.

Nicole Schlueter
1336 Oak Circle Drive
Glendale, CA 91208

Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners

I've been a long time resident of Venice as a transplant from the East Coast. What attracted me to Venice is the eclectic nature of the residents and the architecture. I support the project at 416 – 418 Grand Blvd and love that quality of all the new projects and their architectural flavor to my neighborhood. Please approve this project at 416 & 418 Grand Blvd and others that are similar in nature. Their character and scale add to the eclectic neighborhood that I love.

Thank you in advance,

Kerry Ann Sullivan
1127 Harrison Avenue
Venice, CA 90291

Coastal Commissioners
200 Oceangate #1000
Long Beach, CA 90802
Re: 416 - 418 Grand Blvd

Thursday, June 4th, 2015

Dear Coastal Commission Commissioners,

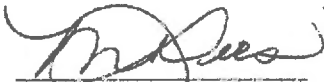
I am writing to you today with regards to the neighbors who recently purchased 416 - 418 Grand Blvd in Venice, CA.

I have lived in Venice for over 5 years now. There is a unique feel about this area, which I love. So much has changed in the years I have been living here and I must say it makes me very happy. I love the direction Venice is going with regards to the unique homes being built.

I have heard of the upcoming project designed by Melinda Gray for 416 - 418 Grand Blvd and I think it will really be something spectacular. I love the architectural designs of the new homes being built. It gives Venice it's own charm and is encouraging more people to live in the area.

In short I just wanted to write saying that I encourage the board to approve the proposed project for the lots.

Thank you kindly,



Meghan K. Lees
meghanklees@gmail.com
(310) 968-1190

Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners:

I've been a long time resident of Venice I support the project at 416 – 418 Grand Blvd and love that quality of all the new projects and their architectural flavor to my neighborhood. Please approve this project at 416 & 418 Grand Blvd and others that are similar in nature. Their character and scale add to the eclectic neighborhood that I love.

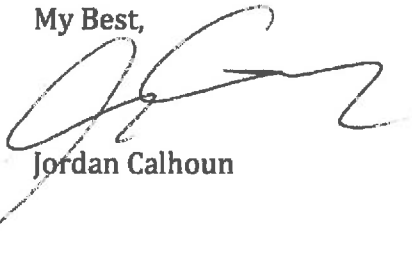
My Best,
Kate Federico

A handwritten signature in black ink, appearing to read 'Kate Federico', with a long horizontal flourish extending to the right.

Dear Costal Commission Commissioners,

I support the project at the 400 block of Grand and love that quality projects are adding architectural flavor to my neighborhood. As a creative individual who has worked in Venice for several years now, I love the diversity of Venice. I encourage the board to honor the original approval on this project.

My Best,

A handwritten signature in black ink, appearing to read 'JC', with a long, sweeping horizontal line extending to the left.

Jordan Calhoun

June 6, 2015

RE: Support for Project at 416-418 Grand Blvd.

To: Coastal Commission Commissioners

I have lived in Venice for over 12 years and came here for its progressive thinking, creative spirit and because the community embraced great architecture that nurtured a vital, livable, village. It is a very special place and to a large degree, due to the talented architects who have contributed their talents to the built environment here.

The level and type of project that is being designed and built is exceptional. We should be embracing the caliber of architects that make this community so unique and vital. It is extremely alarming that after going through a fully vetted process with community input, that this project is being pulled back to take a second bite out of the apple. It is tragic, as it undermines the entire Commissioners Board decision, the communities long established process and an extremely experienced architect's work.

The architect involved is highly skilled and has taken great care to create a home that adds to the scale and character of the street. I fully support the project located at 416-418 Grand Blvd.

If we cannot support projects with such high level of design professionals involved. I fear what the neighborhood will become when it is too cumbersome and bureaucratic to attract this level of talent to build projects locally. My fear is slowly becoming a reality. Many design professionals I know have said publically that they will no longer do projects in Venice as the process has become unbearable and cost prohibitive. Let's ponder that thought for a minute and think of its impact. Please honor your prior approval and allow this well considered project to move forward.

Thank you,

Dustin Miles

1812 ½ Linden Avenue

Venice, California 90291

3349 Fay Avenue
Culver City
CA 90232

Thursday June 4, 2015

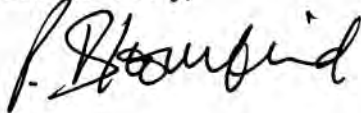
Dear Coastal Commission Commissioners,

Re: Project at 416 and 418 Grand Boulevard, Venice

Please approve the above project. I believe it will add to the architectural interest of the neighborhood.

I trust the Board will honor the original approval on this project.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P. Bloomfield", written in a cursive style.

PIP BLOOMFIELD

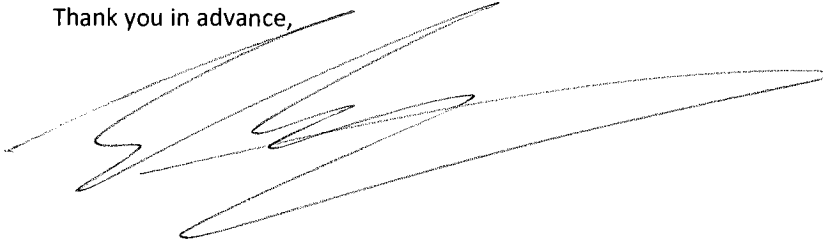
Thursday, June 4, 15

RE: Project at 416 & 418 Grand Blvd

Dear Costal Commission Commissioners

Please approve this project at 416 & 418 Grand Blvd and others that are similar in nature. I believe that the board should honor the original approval on this project located at 416 & 418 Grand Blvd.

Thank you in advance,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name Talya Shlanger.

Talya Shlanger
10485 National Blvd
Los Angeles, CA 90034

Thursday, June 4, 15

RE:

Dear Costal Commission Commissioners

I love calling Venice my home and was originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

I personally feel that there are some projects in the area that try and push the envelope of what the letter of the law allows people to build but feel that this project is being unfairly judged. I support this project and those involved with the project because I know they are not asking for anything that the common person setting out today could build based on the current letter of the law. The developer and the architect are building within their rights and they also happen to be local Venice area residents and artists. They understand the diversity and would never do anything to destroy the "Venice" feel of what our mix of architecture looks like. Their buildings are no larger than any other on the block and will only add to the diverseness of the community.

Please support this project and all the hard work and time that they have invested in having their project come to fruition. They've been more than patient with all the red tape that they have had to deal with.

Thank you in advance,

Justin Alexander
Justin Alexander

13900 Marquesas Way #4230
Marina del Rey, Ca 90292

Thursday, June 4, 15

RE:

Dear Costal Commission Commissioners

I love calling Venice my home and was originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

I personally feel that there are some projects in the area that try and push the envelope of what the letter of the law allows people to build but feel that this project is being unfairly judged. I support this project and those involved with the project because I know they are not asking for anything that the common person setting out today could build based on the current letter of the law. The developer and the architect are building within their rights and they also happen to be local Venice area residents and artists. They understand the diversity and would never do anything to destroy the "Venice" feel of what our mix of architecture looks like. Their buildings are no larger than any other on the block and will only add to the diverseness of the community.

Please support this project and all the hard work and time that they have invested in having their project come to fruition. They've been more than patient with all the red tape that they have had to deal with.

Thank you in advance,

A handwritten signature in black ink that reads "Lindsey Materne". The signature is written in a cursive, flowing style with a large loop at the beginning of the first name.

LINDSEY MATERNE
1036 MARCO PLACE
VENICE, CA 90291

Thursday, June 4, 15

RE:

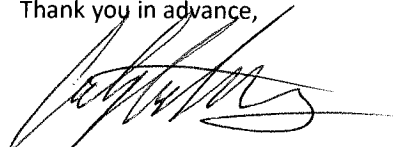
Dear Costal Commission Commissioners

I love calling Venice my home and was originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

I personally feel that there are some projects in the area that try and push the envelope of what the letter of the law allows people to build but feel that this project is being unfairly judged. I support this project and those involved with the project because I know they are not asking for anything that the common person setting out today could build based on the current letter of the law. The developer and the architect are building within their rights and they also happen to be local Venice area residents and artists. They understand the diversity and would never do anything to destroy the "Venice" feel of what our mix of architecture looks like. Their buildings are no larger than any other on the block and will only add to the diverseness of the community.

Please support this project and all the hard work and time that they have invested in having their project come to fruition. They've been more than patient with all the red tape that they have had to deal with.

Thank you in advance,



Courtney Monro

Penny Muck
2457 Wadsworth
LA, CA 90066

Thursday, June 4, 15

RE:

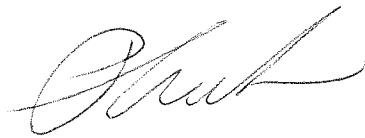
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Thank you in advance,



Penny Muck
310/266-9946

Thursday, June 4, 15

RE:

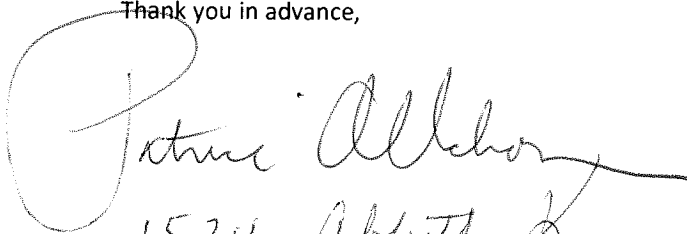
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Thank you in advance,


1524 Abbott Kenney
Venice CA 90291

Thursday, June 4, 15

RE:


Dear Costal Commission Commissioners

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Thank you in advance,


Jenny Tucker
861 VENEZIA Ave. Venice 90291

Thursday, June 4, 15

RE:

Dear Costal Commission Commissioners

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Thank you in advance,

Ryan Vallee
RYAN VALLEE
861 Venera Ave Venice 90291

Thursday, June 4, 15

RE:


Dear Costal Commission Commissioners

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832 Amador Pl.
Venice 90291

Thursday, June 4, 15

RE:


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Thank you in advance,


982 Lake St.
Venice, CA 90291

Thursday, June 4, 15

RE:

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Thank you in advance,



KIRK WICKSTROM
1524 ABBOT KINNEY BLVD
VENICE CA 90291

Thursday, June 4, 15

RE:

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Thank you in advance,

A handwritten signature in black ink, appearing to read 'Sabine Gebser', with a long horizontal flourish extending to the right.

SABINE GEBSER
810 1/2 CRESTMOORE PLACE
VENICE, CA 90291

Thursday, June 4, 15

RE:

Dear Costal Commission Commissioners

I love calling Venice my home and was originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

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Thank you in advance,

J. Cahen
Jacqueline Cahen
308 Broadway St.
Venice, CA 90291

Thursday, June 4, 15

RE: 416 - 418 Grand

Dear Costal Commission Commissioners

I love calling Venice my home and was originally attracted to the area for several factors - the climate, the small city feel, walk ability and the diversity in the architecture.

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Thank you in advance,



Theresa Lee

12 20th Avenue Unit B

Venice, CA

90291

Thursday, June 4, 15

RE: 416-418 Grand

Dear Costal Commission Commissioners

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Thank you in advance,

Jeff Twa

Jeff Twa

12 20th Avenue Unit B

Venice, CA

90291

Thursday, June 4, 15

RE:

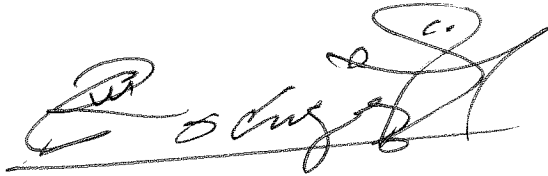
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Thank you in advance,

A handwritten signature in black ink, appearing to read "Jose Rodriguez". The signature is stylized with a large, looped "J" and "R".

Jose Rodriguez
2010 Lincoln Blvd.
Venice CA.

Thursday, June 4, 15

RE:

Dear Costal Commission Commissioners

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Thank you in advance,



Rachael Petersen
922 Milwood Ave
Venice, CA 90291

Thursday, June 4, 15

RE:

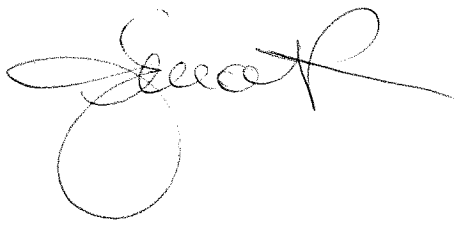
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Thank you in advance,

A handwritten signature in black ink, appearing to read "Jason R." with a large, stylized flourish at the end.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



W17a & W17b

Filed: 4/17/15
49th Day: Waived
Staff: Z. Rehm – LB
Staff Report: 5/28/15
Hearing Date: 6/10/15

STAFF REPORT: APPEAL – SUBSTANTIAL ISSUE

Appeal Numbers: A-5-VEN-15-0026 and A-5-VEN-15-0027

Applicants: 422 Grand Blvd LLC and 416 Grand Blvd LLC

Agents: Rosario Perry, Melinda Gray, Fred Gaines

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: 1) Coastal Commission Executive Director (Dr. Charles Lester); and
2) Robin Rudisill et al

Project Location: 416-422 Grand Boulevard (Lot Nos. 6, 7, & 8, Block 3, Tract 9358), Venice, City of Los Angeles, Los Angeles County (APN Nos. 4230-020-004, 8614-017-003, and 4232-013-004).

Project Description: Appeal by Coastal Commission Executive Director and Robin Rudisill et al from decision by City of Los Angeles granting two coastal development permits with conditions for development of three adjoining residential lots including construction of 3-story, 35-ft. high, 4,816 sq.ft. single-family home and construction of 2-story, 30-ft. high, 1,064 sq.ft. single-family home.

Staff Recommendation: Determine that a substantial issue exists.

IMPORTANT NOTE: The Commission will not take testimony on this “substantial issue” recommendation unless at least three commissioners request it. The Commission may ask questions of the applicant, any aggrieved person, the Attorney General or the executive director prior to determining whether or not to take testimony regarding whether the appeal raises a substantial issue. If the Commission takes testimony regarding whether the appeal raises a substantial issue, testimony is generally and at the discretion of the Chair limited to 3 minutes total per side. Only the applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify during this phase of the hearing. Others may submit comments in writing. If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will occur at a future Commission meeting, during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that a **substantial issue exists** with respect to the project's conformity with Chapter 3 of the Coastal Act. The City-approved project has the potential to negatively affect the biological productivity of coastal waters and is not consistent with the character of the surrounding area.

On October 22, 2013, the same applicants submitted a coastal development permit application (5-13-0949) to the Coastal Commission proposing to demolish two pre-existing duplexes spanning four residential lots and construct a three-story, 30-foot high, 6,166 three story single-family home on three of the lots. Section 30251 and 30253(e) require the protection of scenic and visual qualities of coastal areas and special communities and neighborhoods that, because of their unique characteristics, are popular visitor serving destination points for recreational uses. The Venice LUP states that, in order to protect the character of existing residential neighborhoods, no more than two lots may be consolidated in North Venice subarea where the subject site is located. Additionally, the City of Los Angeles Housing and Community Investment Department had previously determined that four affordable units existed within the two pre-existing duplexes on four residential lots. The Venice LUP states that affordable housing units must be replaced at a 1:1 ratio and located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site. The previous application did not include any replacement of affordable housing units. Based on those two facts, Commission staff advised the applicants to redesign their project consistent with the Chapter 3 policies of the Coastal Act and the standards of the Venice LUP.

The applicants revised the project description to delete the proposed new construction but elected to move forward with the demolition of the two duplexes, which the Executive Director authorized by waiver of coastal development permit requirements No. 5-13-0949-W. The applicants then submitted separate local Coastal Development Permit applications with the City of Los Angeles for redevelopment of the site. After two local appeals, the City of Los Angeles Planning Commission approved with conditions local Coastal Development Permit Nos. ZA-2014-1358-CDP-1A and ZA 2014-1356-CDP-1A for development of three adjoining residential lots including construction of a three-story, 35-foot high, 4,816 square foot single-family home and construction of a two-story, 30-foot high, 1,064 square foot single-family home. A separate application for a single family residence on the fourth residential lot (424 Grand Boulevard) is pending with the City of Los Angeles.

The City-approved project appears to have been specifically designed to avoid the lot consolidation standards set forth in the Venice LUP. The applicants completed the demolition of the pre-existing duplexes prior to applying to construct new structures on the lot. The two new City-approved structures sited on three adjoining lots share a similar aesthetic and face a common courtyard and pool area and may be designed for use by a common owner/resident. The applicants have segmented the proposed development of the fourth lot into a separate application. The applicants assert that the project is exempt from Venice LUP requirements to replace the four pre-existing affordable housing units because doing so would not be feasible.

In addition, the City-approved project is not consistent with Sections 30231 of the Coastal Act because it does not include drainage or landscape plans and water runoff could harm the biological productivity of coastal waters. High water use plants and invasive species could also contribute to the extreme drought

in California and harm coastal resources. After the appeals were filed, the applicants submitted revised plans showing drought tolerant non-invasive landscaping, gutters, downspouts, and rain barrels/cisterns; however, those elements were not included in the City-approved project.

The City-approved project also appears to be inconsistent with Sections 30251 of the Coastal Act which requires that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance and be visually compatible with the character of the surrounding area. Furthermore, the approved project does not appear to be consistent with Section 30253(e) of the Coastal Act which requires the protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor serving destination points for recreational uses. The subject site is approximately 1,000 feet inland of Venice Beach in the North Venice subarea, which features homes and commercial businesses of varying architectural styles, ranging from one story wood bungalows to three-story-plus-roofdeck modern glass structures. The design of the City-approved project is not consistent with the character of the area, as the project appears to be one consolidated compound consisting of a large three-story, 35-foot high, 4,816 square foot primary residence with a smaller 1,064 square foot residential unit over three lots which is not consistent with the development pattern of the neighborhood. The larger unit alone would be approximately 50% larger than any other single-family home on the block. Therefore, the project as approved by the City will cumulatively change the character of the Venice community and is not consistent with the Coastal Act.

The City-approved project does not include plans to mitigate the water quality, biological productivity, or community character impacts of the development. These impacts could be mitigated if the project was redesigned or conditioned to require features to minimize water use, capture and filter water on-site, minimize fence height, and size and articulate each structure consistent with surrounding development. Because these mitigation measures were not included in the City-approved project, staff recommends the Commission find that the appeals raise a substantial issue with respect to the grounds on which the appeals have been filed and further analyze the project during a de novo hearing.

TABLE OF CONTENTS

I. MOTIONS AND RESOLUTIONS - SUBSTANTIAL ISSUE.....	5
II. APPELLANTS' CONTENTIONS.....	6
III. PROJECT HISTORY AND LOCAL GOVERNMENT ACTIONS.....	7
IV. APPEAL PROCEDURES.....	8
V. DUAL PERMIT JURISDICTION.....	9
VI. FINDINGS AND DECLARATIONS.....	9
A. PROJECT DESCRIPTION	9
B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS	10
C. SUBSTANTIAL ISSUE ANALYSIS	10

Appendices

Appendix A – Substantive File Documents

Exhibits

Exhibit 1 – Vicinity Map
Exhibit 2 – Historic Venice Canals Map
Exhibit 3 – Assessor's Parcel Map
Exhibit 4 – Photo Elevations of Surrounding Residential Development
Exhibit 5 – Project Rendering and Model
Exhibit 6 – City-Approved Plans
Exhibit 7 – Mello Determinations
Exhibit 8 – Mello Compliance Worksheet and Feasibility Studies
Exhibit 9 – Letter from Commission Staff to Applicant (11/19/13)
Exhibit 10 – Appeals

I. MOTIONS AND RESOLUTIONS

Motion I:

I move that the Commission determine that Appeal No. A-5-VEN-15-0026 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.

Motion II:

I move that the Commission determine that Appeal No. A-5-VEN-15-0027 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.

Staff recommends a **NO** vote on both motions. Failure of the motions will result in a de novo hearing on applications and adoption of the following resolutions and findings. Passage of the motions will result in a finding of No Substantial Issue and the local actions will become final and effective. The motions pass only by an affirmative vote of the majority of the appointed Commissioners present.

Resolution I:

*The Commission hereby finds that Appeal No. **A-5-VEN-15-0026** presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

Resolution II:

*The Commission hereby finds that Appeal No. **A-5-VEN-15-0027** presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

II. APPELLANTS' CONTENTIONS

The Executive Director of the Coastal Commission and a group of Venice residents have appealed two City of Los Angeles actions to approve local coastal development permits for development at 416-422 Grand Boulevard in Venice (**Exhibit 10**). The appellants contend that the City-approved development is not consistent with the Chapter 3 policies of the Coastal Act and is not consistent with the standards of the City of Los Angeles certified Land Use Plan for the Venice area (Venice LUP). Because the approved development is not consistent with the Coastal Act and the Venice LUP, the appellants contend that the City-approved development will adversely affect coastal resources and could prejudice the City's ability to prepare a Local Coastal Program (LCP).

The appellants contend that the City approved development is not consistent with Section 30231 of the Coastal Act because it does not call out on site drainage devices and the special conditions of the local coastal development permits do not require construction best management practices to prevent discharge of debris into coastal waters. Additionally the appellants note that the City-approved development does not include a landscape plan and that high water use plants or invasive species could be planted on site, which could negatively affect the biological productivity of coastal waters.

The appellants contend that the City-approved development is not consistent with Sections 30251 and 30253 of the coastal act because the bulk and scale of the structures may not be consistent with the character of the North Venice subarea.

The appellants further contend that the City-approved project will consolidate three lots with two structures that appear to be designed for the use of one owner/resident, which is prohibited under the Venice LUP. The appellants contend that the project has been segmented to separate the demolition of the pre-existing duplex structures and the construction of up to three new structures. The appellants suggest that this has been done to subvert Mello Act requirements and obtain approval for a plan which is inconsistent with the standards of the Venice LUP.

The appellants suggest that even if the City-approved project is two separate single-family homes, as the applicants argue the project legally is, then the two homes are not consistent with the standards of the Venice LUP because the structure on two lots is not articulated and does not provide elements like a front porch and the smaller approximately 1,000 square foot structure does not have habitable area on the ground floor. The appellants suggest that neither of the two structures would be consistent with the character of the area and that the potential for both to be enclosed by a high fence or wall may create a compound effect.

The appellants argue that the City-approved project is not consistent with the standards of the Venice LUP regarding building height, fence height, front yards, and community character.

Some of the appellants assert the City's public hearing procedures violated Venice residents' due process, did not comply with the California Environmental Quality Act, and did not comply with California Government Code Section 65590 (the Mello Act of 1982). The appellants argue that the Venice LUP contains standards for implementation of the Mello Act which the City of Los Angeles ignored. They contend that the certified Venice LUP contains policies requiring replacement of affordable housing units if low or moderate income units are demolished or converted to high income units, and that the applicants' studies which concluded that it was not feasible to provide affordable housing on-site or off-site were inadequate.

III. PROJECT HISTORY AND LOCAL GOVERNMENT ACTIONS

The applicants (416 Grand Blvd LLC and 422 Grand Blvd LLC) purchased 416-418 Grand Boulevard on July 30, 2012 and 422-424 Grand Boulevard on August 8, 2012. The four residential lots (Lots 6, 7, 8, & 9 Block 3, Tract 9358; see **Exhibit 3**) were first developed in 1947 with two duplexes containing a total of four units. On June 27, 2013, after reviewing information submitted by the applicants, the City of Los Angeles Housing and Community Investment Department determined that all four units were affordable under the City's Interim Administrative Procedures for Complying with the Mello Act (**Exhibit 7**).

On September 17, 2013, the Los Angeles Director of Planning issued a Venice Sign Off and a Mello Clearance for the demolition of each of the two duplexes (DIR-2013-2903-VSO-MEL and DIR-2013-2910-VSO-MEL). A feasibility study was submitted with each application and the Department's Mello Act Coordinator determined that it was infeasible to provide replacement affordable housing units on-site or off-site. Each feasibility study was accompanied a one page Mello Act Compliance Review Worksheet which defines *feasible*: "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors" (**Exhibit 8**).

On October 22, 2013, the same applicants submitted Coastal Development Permit Application No. 5-13-0949 to the Commission proposing to demolish two pre-existing duplexes spanning four residential lots and construct a three-story, 30-foot high, 6,166 three story single-family home on three of the lots. The proposed development would have consolidated three lots, each approximately 25-feet wide by 90-feet deep. In a letter dated November 19, 2013, Commission staff notified the applicants' representative that the proposed development was inconsistent with the standards of the Coastal Act and the Venice LUP and encouraged the applicants to modify the project and apply for a local Coastal Development Permit from the City of Los Angeles (**Exhibit 9**).

The applicants elected to move forward with the demolition of the two duplexes. On January 24, 2014, after the applicants obtained a new local approval for the demolition of both duplexes, the Executive Director of the Coastal Commission approved the demolition of both duplexes under waiver of coastal development permit requirements No. 5-13-0949-W. The De Minimis Waiver noted: "the applicants' stated intent is to develop the properties with residences once the necessary approvals are obtained."

The applicants submitted three separate local Coastal Development Permit applications with the City of Los Angeles for redevelopment of the site. On December 16, 2014, the City of Los Angeles Director of Planning issued DIR-2014-4716-VSO and DIR-2014-4707-VSO, approving a single-family dwelling with two-car garage guest parking space, pool, and spa on Lots 7 and 8 and a single-family dwelling with two-car garage on Lot 6. The Director of Planning determined that neither application required a Venice Specific Plan Project Permit Compliance. On December 26, 2014, a City of Los Angeles Zoning Administrator approved 2014-1358-CDP and ZA 2014-1356-CDP for development of three adjoining residential lots including construction of a three-story, 35-foot high, 4,816 square foot single-family home and construction of a two-story, 30-foot high, 1,064 square foot single-family home. Both of the Zoning Administrator's actions were appealed to the City of Los Angeles Planning Commission. On March 4, 2015 the West Los Angeles Planning Commission upheld the Zoning Administrator's decision and approved with conditions local Coastal Development Permit Nos. ZA-2014-1358-CDP-1A and ZA 2014-1356-CDP-1A for development of three adjoining residential lots including construction of a

three-story, 35-foot high, 4,816 square foot single-family home and construction of a two-story, 30-foot high, 1,064 square foot single-family home. A separate application for a single-family residence on the fourth residential lot (424 Grand Boulevard) is pending with the City of Los Angeles.

The City's Notices of Final Local Action for Local Coastal Development Permit Nos. ZA-2014-1358-CDP-1A and ZA 2014-1356-CDP-1A were received in the Coastal Commission's Long Beach Office on April 17, 2015, and the Coastal Commission's required 20 working-day appeal period was established. On April 17, 2015, the Executive Director of the Coastal Commission and Robin Rudisill et al submitted appeals of the City's approvals of both local coastal development permits (**Exhibit 10**). No other appeals were received prior to the end of the appeal period on April 17, 2015.

IV. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows *any* action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a local CDP application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must conform to the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including the specific grounds for appeal and a summary of the significant question raised by the appeal.

The action currently before the Commission is to find whether there is a “substantial issue” or “no substantial issue” raised by the appeal of the local approval of the project. Sections 30621 and 30625(b)(1) of the Coastal Act require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

Commission staff recommends a finding of **substantial issue**. If the Commission decides that the appellants' contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, the action of the local government becomes final. Alternatively, if the Commission finds that a substantial issue exists with respect to the conformity of the action of the local government with the Chapter 3 policies of the Coastal Act, the local CDP is voided and the Commission typically continues the public hearing to a later date in order to review the coastal development permit as a de novo matter. [Cal. Pub. Res. Code §§ 30621 and 30625.] Section 13321 of the Coastal Commission regulations specifies that de novo actions will be heard according to the procedures outlined in Sections 13114 and 13057-13096 of the Commission's regulations.

If there is no motion from the Commission to find no substantial issue, it will be presumed that the appeal raises a substantial issue and the Commission will schedule the de novo phase of the public hearing on the merits of the application at a subsequent Commission hearing. A de novo public hearing on the merits of the application uses the Chapter 3 policies of the Coastal Act. The certified Venice Land Use Plan (LUP) is used as guidance in the de novo phase of the appeal. Sections 13110-13120 of Title 14 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, those who are qualified to testify at the hearing, as provided by Section 13117 of Title 14 of the California Code of Regulation, will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue.

V. DUAL PERMIT JURISDICTION AREA

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or “dual”) coastal development permit from the Coastal Commission. The Commission's standard of review for the subject development in the *Dual Permit Jurisdiction* area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit Jurisdiction*), the City of Los Angeles local coastal development permit is the only coastal development permit required. The subject project site on appeal herein is located within the *Single Permit Jurisdiction Area*.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The project site for the City-approved development is located in a residential neighborhood (RD1.5-1-O) of the North Venice subarea within the City's Single Permit Jurisdiction Area. The site fronts Grand Boulevard, a wide street paved on top of the original Grand Canal of Venice, developed by Abbot Kinney in the early 1900s, approximately 1,000 feet inland of Venice Beach and Ocean Front Walk (**Exhibit 1 and Exhibit 2**). The site is three graded lots (Lots 6, 7, & 8, Block 3, Tract 9358; see **Exhibit 3**), previously developed with two duplexes containing a total of four units, constructed in 1947 and demolished in 2014. The lots are in the center of the subject residential block, which features single-family residences and duplexes of varying architectural styles, ranging from one-story wood bungalows to three-story-plus-roofdeck modern glass structures (**Exhibit 4**).

The applicants propose to redevelop the three approximately 25-feet wide by 90-feet deep residential lots with a three-story, 35-foot high, 4,816 square foot single-family home and a two-story, 30-foot high, 1,064 square foot single-family home (**Exhibit 5 and Exhibit 6**). A separate application for a home on a fourth adjoining residential lot (424 Grand Boulevard) is pending with the City of Los Angeles.

The larger house at 418-422 Grand Boulevard would cover two residential lots and includes two parking spaces in a 367 square foot garage and one uncovered guest parking space in the front setback area. It also includes a pool/spa and fences and landscaping. The City-approved development does not call out the height of the fences, but the applicants' representative has indicated that they are to be three-feet high in the front setback areas and up to eight feet high in the side and rear yards. The smaller structure at 416 Grand Boulevard includes a two-car garage, outdoor seating area, fire pit, and bathroom on the ground level. The second level features a kitchen, living room, one bedroom, and bathroom. In total, the structure has 1,064 square feet of habitable area, with the majority of the lot dedicated to outdoor living and outdoor amenities (**Exhibit 5 and Exhibit 6**). The City-approved development did not include a landscape or drainage plan, but after the appeals were filed the applicants submitted revised plans showing drought tolerant non-invasive landscaping, gutters, downspouts, and rain barrels/cisterns.

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 30600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission's regulation simply indicates that the Commission will hear an appeal unless it "finds that the appeal raises no significant question." In previous decisions on appeals, the Commission had been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations if its LCP; and,
5. Whether the appeal raises local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

Staff is recommending that the Commission find that a substantial issue exists with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

Some of the appellants assert the City's public hearing procedures violated Venice residents' due process, did not comply with the California Environmental Quality Act, and did not comply with California Government Code Section 65590 (the Mello Act of 1982). The appellants argue that the Venice LUP contains standards for implementation of the Mello Act which the City of Los Angeles ignored. They contend that the certified Venice LUP contains policies requiring replacement of affordable housing units if low or moderate income units are demolished or converted to high income units and that the applicants' studies which concluded that it was not feasible to provide affordable housing on-site or off-site were inadequate.

The California Legislature amended the Coastal Act to remove some specific policies related to the Commission's direct authority to protect affordable housing in the coastal zone.

Section 30604 of the Coastal Act, as amended, contains the following policies:

(f) The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity with Chapter 3 (commencing with Section 30200) or the certified local coastal program.

(g) The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

These policies require the Commission to encourage cities and property owners to provide affordable housing opportunities, but they have not been interpreted as a basis for the Commission to mandate the provision of affordable housing through its regulatory program. In 1982, the legislature codified California Government Code Section 65590 (the Mello Act), requiring local governments to protect and increase the supply of affordable housing in the Coastal Zone.

The City of Los Angeles has struggled to implement the Mello Act in its segments of the Coastal Zone, and especially in Venice. Its initial regulatory program for Mello compliance was challenged by a 1993 lawsuit brought by displaced low income tenants at 615 Ocean Front Walk, where the City approved a new development with no replacement affordable housing. That lawsuit resulted in a 2001 settlement agreement between the aggrieved parties, the Venice Town Council et al, and the City of Los Angeles¹. Since 2001, the City has been regulating development through its Interim Administrative Procedures for Complying with the Mello Act.

Also in 2001, the Commission certified the Venice Land Use Plan, which contains specific policies encouraging the protection of existing affordable housing units and the construction of new affordable housing units in Venice.

Policy I. A. 9. Replacement of Affordable Housing, states:

¹ No. B091312. Second Dist., Div. Seven. Jul 31, 1996. Venice Town Council Inc. et al., Plaintiffs and Appellants, v. City of Los Angeles et al., Defendants and Respondents

Per the provisions of Section 65590 of the State Government Code, referred to as the “Mello Act”, the conversion or demolition of existing residential units occupied by persons and families of low or moderate income shall not be permitted unless provisions have been made for replacement of those dwelling units which result in no net loss of affordable housing in the Venice Community in accordance with Section 65590 of the State Government Code (Mello Act).

Policy I. A. 10. Location of Replacement Housing, states:

The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

Other policies of the certified Venice Land Use Plan require affordable housing units to be replaced at a 1:1 ratio, offer displaced residents priority for new units, provide density bonuses allowing for affordable units to exceed the floor area ratio zoned for a given lot, and allow for the provision of fewer parking spaces than required if a development contains affordable units.

Section 65590(b) of California Government Code (Mello Act) is referenced as an exception to the preceding Venice Land Use Plan Policies. Cal. Gov. Code Section 65590(b) states:

The requirements of this subdivision for replacement dwelling units shall not apply to the following types of conversion or demolition unless the local government determines that replacement of all or any portion of the converted or demolished dwelling units is feasible, in which event replacement dwelling units shall be required:

(1) The conversion or demolition of a residential structure which contains less than three dwelling units, or, in the event that a proposed conversion or demolition involves more than one residential structure, the conversion or demolition of 10 or fewer units.

As part of its Interim Procedures, the City developed a worksheet to assist applicants who propose demolition or conversion of affordable housing units in the Coastal Zone. The worksheet has eight questions which serve to determine whether replacement affordable housing units are required. Question 8 asks: “is it infeasible for the applicant to replace any of the Affordable Existing Residential Units recorded in question 4?” To validate a response to question 8, the applicant(s) may submit a feasibility study, indicating whether it is feasible to replace any lost affordable housing units.

In this case, the applicant submitted feasibility studies for potential replacement of affordable housing units at each of the two duplexes which were demolished in 2014 (**Exhibit 8**). Because the housing units had already been demolished, the feasibility studies assumed a land value of approximately \$1,000,000 for each group of two residential lots and a construction cost of slightly more than \$1,000,000 for two potential new units on each group of two lots. Based on estimated rental income of approximately \$3,500 for each group of two residential lots, the

applicants' studies determined that it was not feasible to build replacement affordable housing units on any of the four lots which the Los Angeles Department of Housing and Community Investment had determined previously contained affordable housing units (**Exhibit 7**). The Los Angeles Director of City Planning accepted the feasibility studies and included them in two Venice Sign-Off approvals permitting new homes on the site. The Los Angeles Planning Commission upheld that determination at the same hearing where it upheld the appeals of the local coastal development permits.

While one of the appellants raises issues related to the City's compliance with the Mello Act, the Commission has no jurisdiction to alter the City's Mello Act determinations. The California Government Code makes it clear that it is the responsibility of the local government to implement Section 65590. Nor can the Commission invalidate the City's California Environmental Quality Act determination. Therefore, the appellant's contentions regarding the City's Mello Act and CEQA determinations do not raise a substantial issue because the Commission does not have jurisdiction to review those contentions.

The appellants also contend that the City-approved development is not consistent with Sections 30251 and 30253 of the coastal act because the bulk and scale of the structures may not be consistent with the character of the North Venice subarea.

Sections 30251 and 30253 of the Coastal Act require permitted development to be visually compatible with the character of surrounding areas and require protection of communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. The Venice community – including the beach, the boardwalk, the canals, and the eclectic architectural styles of the neighborhoods (**Exhibit 4**) – is one of the most popular visitor destinations in California. The North Venice subarea includes Abbot Kinney Boulevard and Grand Boulevard, each developed in the early 20th century as part of Mr. Kinney's vision for a free and diverse society. **Exhibit 2** features a map of the Historic Venice Canals, concentrated around Grand Canal where the subject project is located.

Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall...be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality in visually degraded areas.

Section 30253 of the Coastal Act states in part:

New development shall...

*d) minimize energy consumption and vehicle miles traveled
e) where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

While the certified Venice LUP is not the standard of review for finding substantial issue, the standards provide guidance from which the Commission can evaluate the adequacy of a project's

mitigation of impacts. In its adoption of the certified LUP, the Commission recognized Venice's unique community character and popularity as a visitor serving destination, and as such, it is imperative that any new development be designed consistent with the community character of the area.

When the LUP was certified in 2001, the Commission considered the potential impacts that development could have on community character and adopted residential building standards to ensure development was designed with pedestrian scale and compatibility with surrounding development. Given the specific conditions surrounding the subject site and the eclectic development pattern of Venice, it is appropriate to use the certified LUP policies for determining whether or not the project is consistent with sections 30251 and 30253 of the Coastal Act.

In this case, the certified Venice Land Use Plan echoes the priority expressed in Coastal Act for preservation of the nature and character of existing residential neighborhoods.

Policy I. E. 1, General, states

Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale, states.

New development within the Venice Coastal Zone shall respect the scale and character of the community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods [...]

Policy I. E. 3. Architecture, states.

Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

Policy I. A. 1 b, Residential Development, states, in part:

In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand Residential Neighborhoods. No more than two lots may be consolidated in...North Venice. Lot consolidations may be permitted only subject to the following limitations:

- i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation...*
- ii. Building facades shall be varied and articulated to provide a pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street...*

- iii. *Front porches, bays, and balconies shall be provided to maximize architectural variety.*

In its findings that the project is in character with the surrounding area, the City makes reference to other large, modern homes which have recently been approved in the area. The Executive Director of the Commission issued waivers of coastal development permit requirements for two three-story homes on the same block (5-13-040-W and 5-12-222-W; see photo in **Exhibit 4**). In 2013, the City of Los Angeles approved the construction of a three story home at 232 Grand Boulevard. Two other coastal development permit applications are pending with the City of Los Angeles for three-story homes on the same block, including a home on the adjoining property at 424 Grand Boulevard.

A substantial difference between the two homes for which the Executive Director waived coastal development permit requirements and the City-approved development which the Executive Director has appealed is the fact that the development on appeal spans three residential lots. The homes for which waivers were issued were large (2,798 square feet and 3,159 square feet) but they were each built on one residential lot approximately the same size as each of the three residential lots the applicants propose to consolidate with the subject development. The City-approved development would permit one 4,816 square foot home (plus 367 square foot garage) on two lots and one 1,064 square foot home on the third lot. The two structures share common architectural features and appear to be designed to function as one residential compound (**Exhibit 5**). The smaller structure has no living area on the ground floor and just one bedroom; its optimal function could be a pool house or guest house. The City-approved development does not call out the height of the fences surrounding the three lots, but the applicants have stated fences in the front yard setback are proposed to be three-feet high and fences in the side and rear setbacks are proposed to be six to eight feet high (per Los Angeles Municipal Code 12.22.c.20.3).

The applicants appear to have specifically designed the structures to avoid the requirements of the Venice LUP prohibiting lot consolidations of more than two lots. Proposals to consolidate two lots may be found to be consistent with the Coastal Act and with the Venice LUP if such structures are articulated to provide a pedestrian scale and are designed to be visually compatible with surrounding structures. The City-approved structure at 418-422 Grand Boulevard is approximately 50% larger than any other home on the subject block. It does not feature substantial articulation, aside from the sloped roof which has been designed to meet the requirements for an extra five feet of building height beyond the thirty-feet permitted for flat roofs in the North Venice subarea. The windows fronting the street are small, the façade is not varied, and landscaping is not called out (see North Elevation, **Exhibit 6**).

When analyzed in combination with the structure at 416 Grand Boulevard, the project is more out of character with the surrounding structures and the standards of the Venice LUP. The two structures share a common design, face a common courtyard and pool/spa, and were originally proposed to the Commission and the City as one residence. Analyzed cumulatively, the two homes are not consistent with 30251 of the Coastal Act because they will not be visually compatible with the character of surrounding areas (**Exhibit 5**). The City's approval of both structures is not consistent with Section 30253 because it does not protect the character of the Venice community which is a popular visitor destination points for recreational uses.

The appellants contend that the City approved development is not consistent with Section 30231 of the Coastal Act because it does not call out on site drainage devices and the special conditions of the local coastal development permits do not require construction best management practices to prevent discharge of debris into coastal waters. Additionally the appellants note that the City-approved development does not include a landscape plan and that high water use plants or invasive species could be planted on site, which could negatively affect the biological productivity of coastal waters.

The City-approved development is not consistent with Section 30231 of the Coastal Act, which states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The City approved development is not consistent with Section 30231 of the Coastal Act because the site plan does not call out on-site drainage devices and the special conditions of the approved permit do not require construction best management practices to prevent discharge of construction debris into coastal waters. The City-approved development does not include a landscape plan or requirement for low water use landscaping. The City-approved development does not include features or requirements for controlling runoff or surface water flow generated on site or from storm events.

Additionally, the City's approval does not include requirements for low water use appliances or other features designed to reduce resource use during California's extreme drought. The appellants argue that the swimming pool is not appropriate during California's extreme drought. The swimming pool could be found to be consistent with the Coastal Act if the applicants proposed or the City requires the pool to include water saving features such as leak detection sensors or a pool cover, but these features were not included or conditioned in the City's action to approve the project.

Cumulatively, the non-provision of drainage, landscape, and low-impact development features has the potential to negatively impact the biological productivity of coastal waters and therefore the City-approved development raises a substantial issue with regards to compliance with Section 30231 of the Coastal Act.

The City's Notice of Final Local Action for Local Coastal Development Permit Nos. ZA-2014-1358-CDP-1A and ZA 2014-1356-CDP-1A and accompanying staff reports and file records state that the City applied the policies of Chapter 3 of the Coastal Act and concluded, in part, that the development, as proposed and conditioned by the City, would be consistent with Chapter 3 of the Coastal Act and will not prejudice the ability of the City to prepare an LCP for the Venice Coastal Zone.

A substantial issue exists with respect to the project's conformance with Chapter 3 of the Coastal Act, and with the approval of both local coastal development permits, because the City-approved project does not include a plan to mitigate the potential water quality and biological productivity impacts of the development. Additionally, the City-approved project does not adequately mitigate the potential community character impacts of the development. Both of these types of impacts could be mitigated if the project were redesigned or conditioned to require features to minimize water use, capture and filter water on-site, minimize fence height, and size and articulate each structure consistent with surrounding development.

Only with careful review of the City-approved project can the Commission ensure that community character, biological productivity, and water quality are protected. If it finds that a substantial issue exists, the Commission will have the opportunity to review and act on the project at the subsequent de novo hearing. Therefore, the Commission finds that a substantial issue exists with respect to the project's conformance with Chapter 3 of the Coastal Act, and with the approval of Local Coastal Development Permit Nos. ZA-2014-1358-CDP-1A and ZA 2014-1356-CDP-1A.

Applying the five factors listed in the prior section clarifies that the appeal raises "a substantial issue" with respect to Chapter 3 of the Coastal Act, and therefore, does meet the substantiality standard of Section 30265(b)(1), because the nature of the City-approved project and the local government action are not consistent with policies of Chapter 3 of the Coastal Act.

The first factor is the degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act. With regard to the community character policies of the Coastal Act, the City's findings state that "The proposed construction of a single family dwelling is consistent with the site's RD1.5 zoning and with the historic use of the property. The dwelling's height, density, floor area, setbacks, and parking area are consistent with the LAMC and the Venice Coastal Zone Specific Plan regulations." The City has not shown that they have analyzed the residential building standards of the certified Venice Land Use Plan, which are different from those of the Municipal Code and the Specific Plan. The City's second finding is ambiguous: "The development will/will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976." The analysis below the finding indicates that the LUP guidelines are advisory and references Policy I. A. 2, relating to community character, but does not provide reasons why the development is or is not consistent with the community character of the surrounding development, the North Venice subarea, or Venice at-large. The majority of the finding relate to the zoning code and the Specific Plan. The City's findings also make reference to the Green Building Code of 2013, but its conditions of approval do not require conformity with the Green Building Code or with any specific standards related to landscaping, drainage, low water and energy use, etc.

Given the foregoing, the City's approval is not consistent with sections 30231, 30251 and 30253 of the Coastal Act and, as such, doesn't appear to have the proper legal support to justify its decision.

The second factor is the extent and scope of the development as approved or denied by the local government. The existing development is four vacant lots. The City-approved development would construct two structures on three of the lots, which may be designed for use by one owner/resident. The scope of the larger structure is also approximately 50% greater than that of the largest single-family homes on the subject block, and would appear more massive if compounded with the smaller structure and associated fencing allowed under the Los Angeles Municipal Code.

The third factor is the significance of the coastal resources affected by the decision. The City-approved project, and others like it, has the potential to negatively and cumulatively impact the biological productivity and water quality of nearby coastal resources because specific landscaping, drainage, and construction BMP's have not been required. Additionally, the project would negatively impact the character of the surrounding community because of its consolidation of three lots, which is not consistent with the surrounding development pattern. Therefore, the development could significantly and adversely affect coastal resources.

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP but it does have a certified Land Use Plan. The City-approved development is not consistent the residential building standards related to lot consolidation set forth in the certified Venice LUP, nor is it consistent with past Commission approvals in the area, which have generally confined single-family homes to one residential lot, not two or three. Thus, the project, as approved and conditioned, raises a substantial issue with regard to the project's conformity with the community character policies Chapter 3 of the Coastal Act and the certified Venice LUP and would have the potential to set a negative precedent for future development.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. This appeal raises specific local issues, but Venice is one of the most popular visitor destinations in the state making its preservation as an eclectic community with a unique character a statewide issue. Therefore, the City's approval does raise issues of statewide significance.

In conclusion, the primary issue for the appeals is potential adverse impacts to water quality, biological productivity, and community character. In this case, the City-approved project is not in conformity with the Chapter 3 policies of the Coastal Act and therefore, the Commission finds that the appeals raise a substantial issue as to conformity with the Chapter 3 policies.

Appendix A – Substantive File Documents

1. City of Los Angeles certified Land Use Plan for Venice (2001)
2. Coastal Development Permit Waiver No. 5-13-0949-W
3. City File for Local Coastal Development Permit ZA-2014-1356-CDP-1A
4. City File for Local Coastal Development Permit ZA-2014-1358-CDP-1A
5. Los Angeles Department of City Planning Case Number CPC-2005-8252-CA (Draft Mello Act Ordinance and Procedures)

Vicinity Map: 416-422 Grand Boulevard, Venice, Los Angeles



Photo credit: Bing Maps

Map of Original Venice Canals, Circa 1910

Exhibit 2

Page 1 of 1



California Coastal
Commission

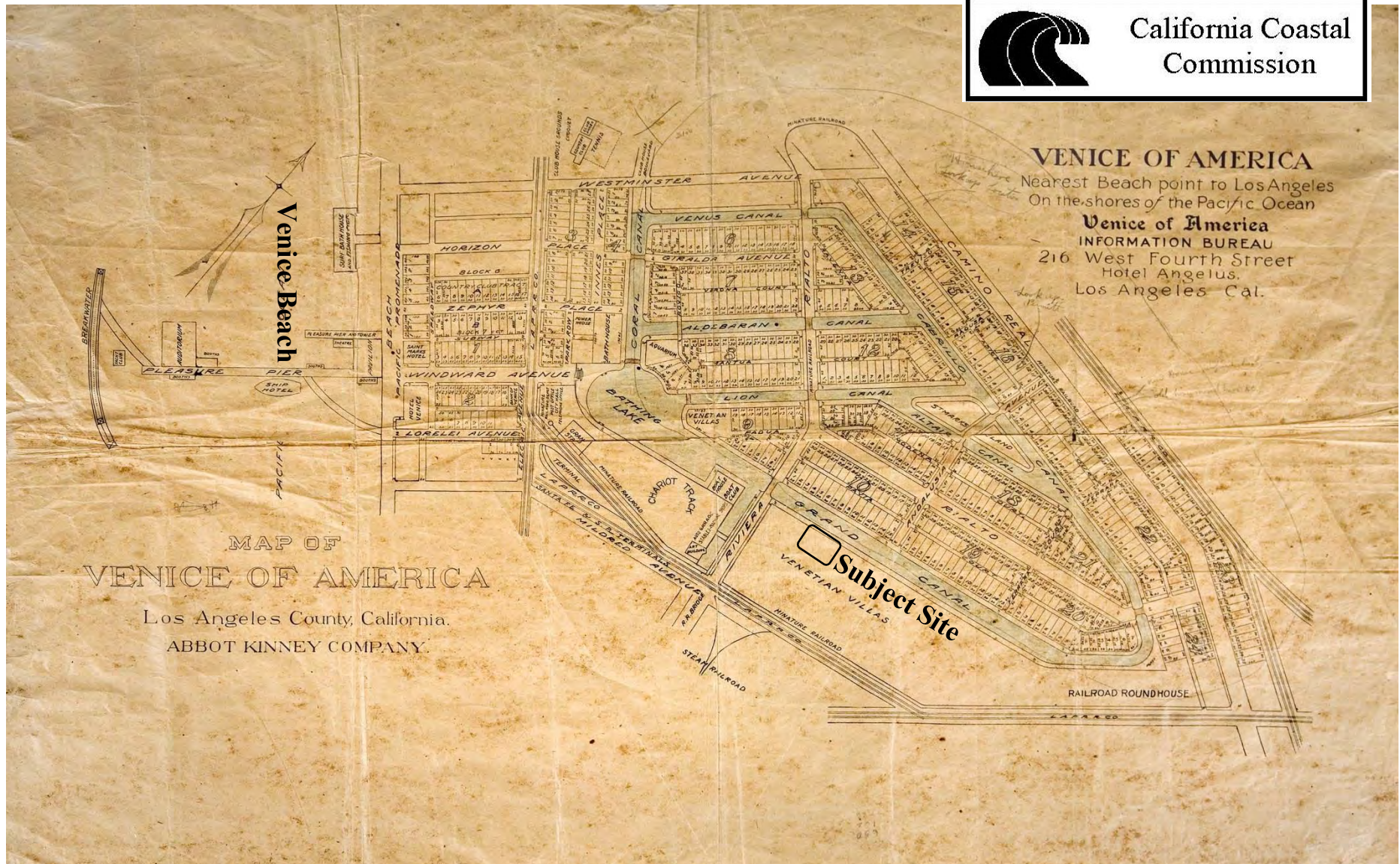


Photo credit: Los Angeles Public Library Map Collection

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Exhibit 3

Page 1 of 1

SEARCH NO

OFFICE OF THE ASSESSOR
COUNTY OF LOS ANGELES
COPYRIGHT © 2002California Coastal
Commission

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PG
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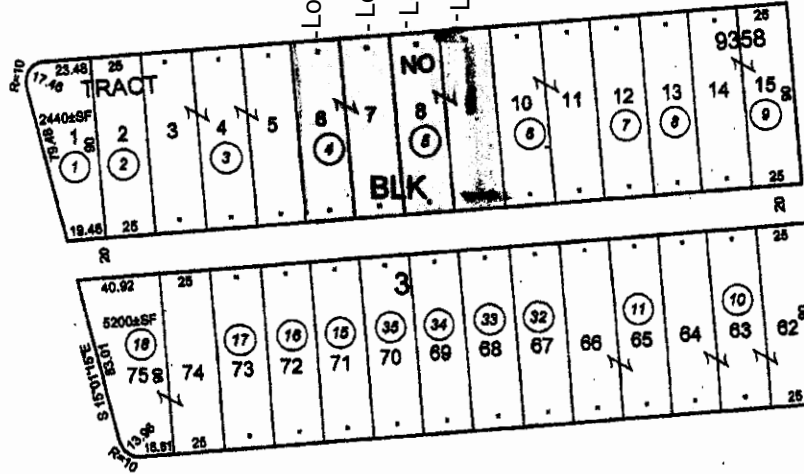
GRAND

BLVD E

- Lot 6 (416 Grand)
- Lot 7 (418 Grand)
- Lot 8 (422 Grand)
- Lot 9 (424 Grand)

MAPPING AND GIS
SERVICES
SCALE 1" = 80'

BLVD E



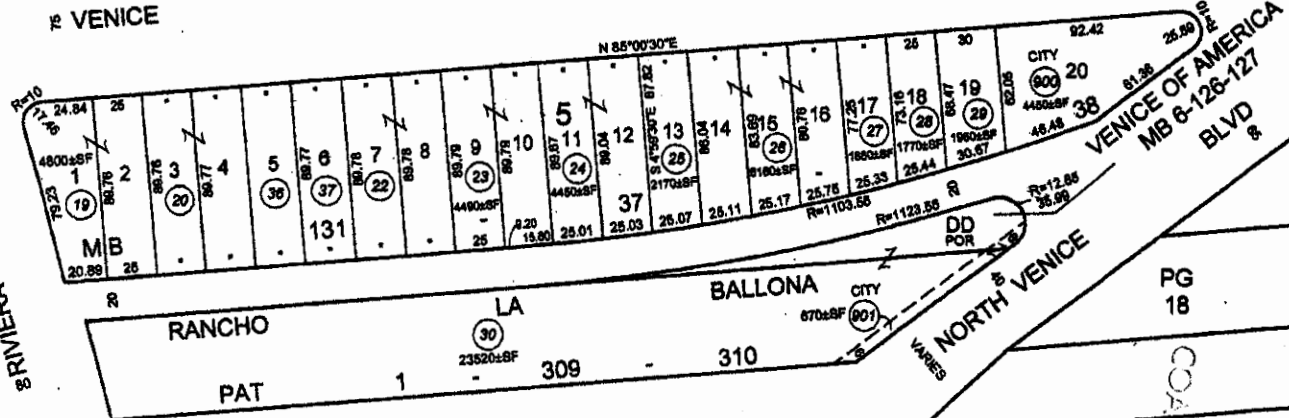
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WAY E

VENICE

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MILDRED

AVE E

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18

5-180949

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DEC 19 2013

CALIFORNIA
COASTAL COMMISSION



One-story bungalows/cottages directly across street from subject site



Exhibit 4

Page 1 of 3



California Coastal
Commission

Photos: Commission staff (4/25/15)

Modern three-story homes on same block (west of subject site)



Development on surrounding residential streets in North Venice



Exhibit 4

Page 2 of 3



California Coastal
Commission

Photos: Commission staff (4/25/15)



Urban water runoff and biological productivity at Venice Beach



Photos: Commission staff (4/25/15)

Venice Coastal Zone Specific Plan does not allow consolidation of 3
residentially-zoned lots in the North Venice Subarea

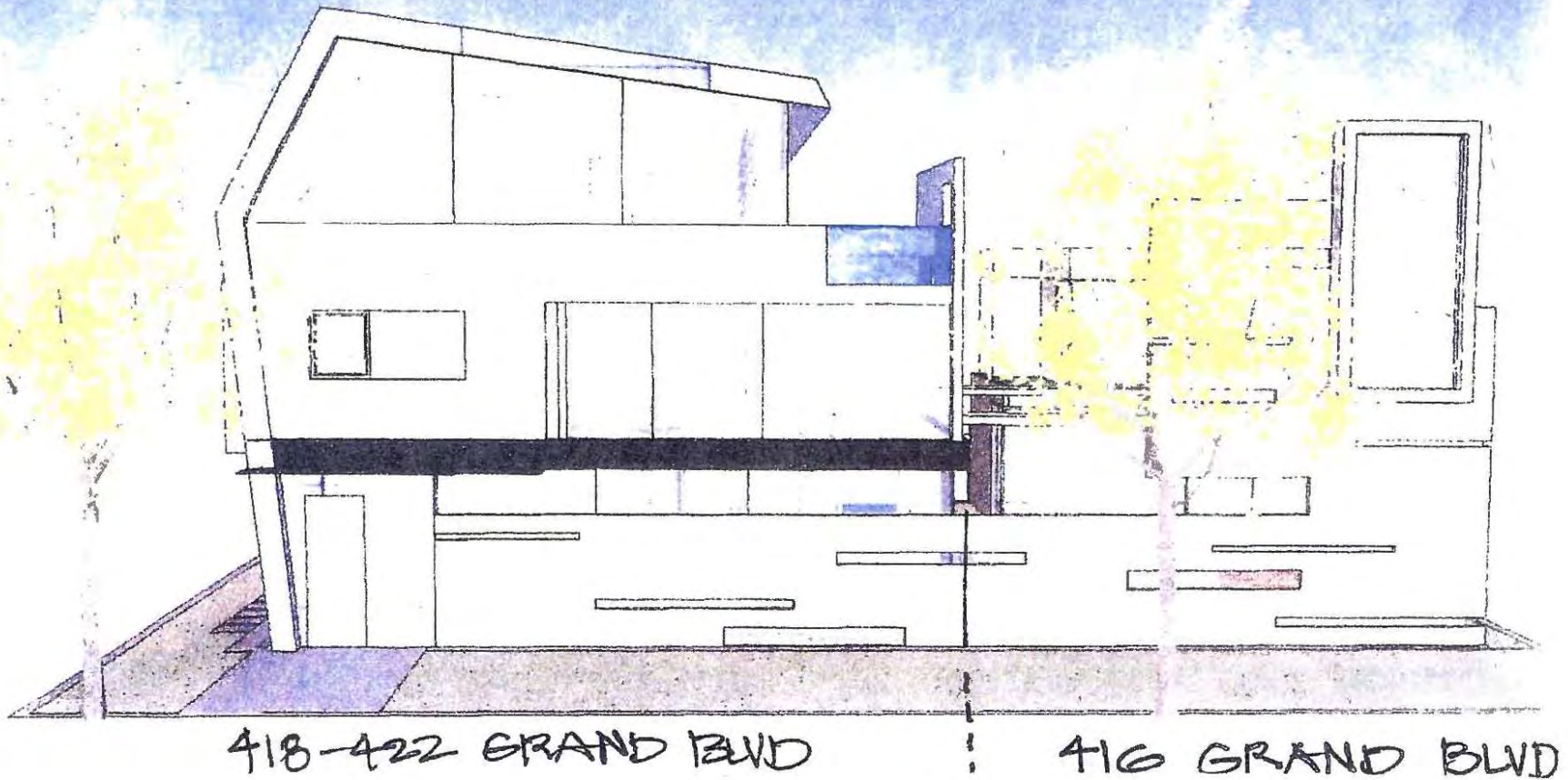


Exhibit 5

Page 1 of 2



California Coastal
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ZA 201 - 1358

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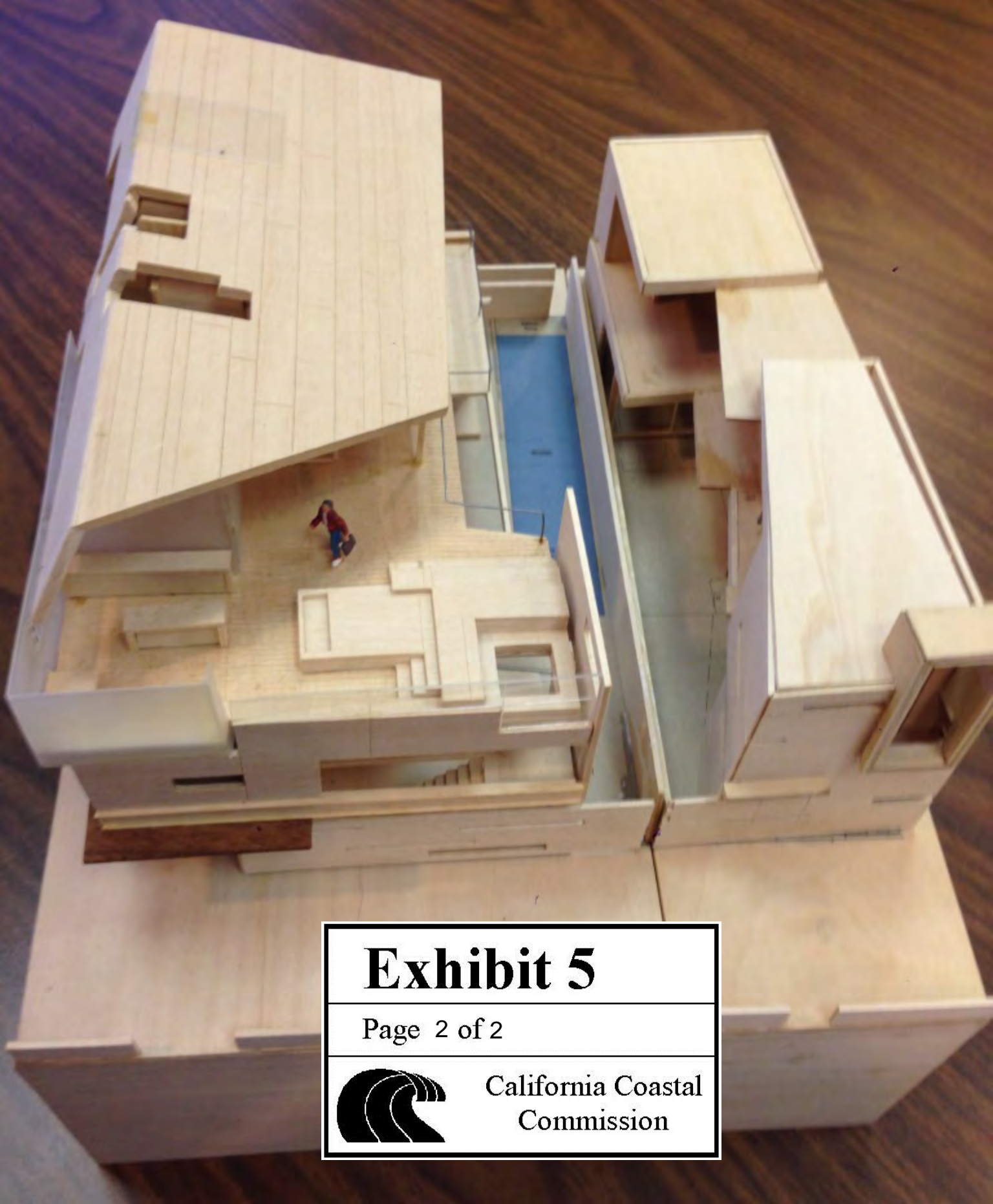
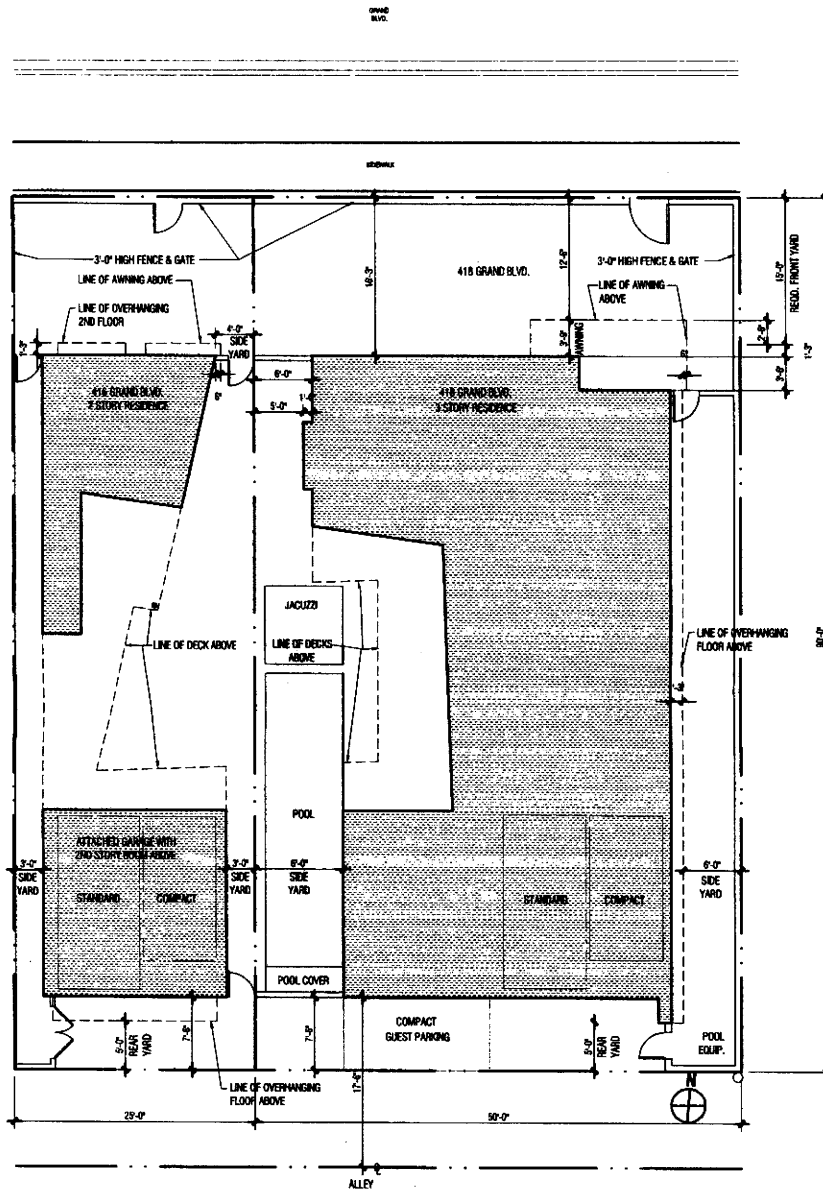


Exhibit 5

Page 2 of 2



California Coastal
Commission



SITE DESCRIPTION

THE PROJECT CONSISTS OF 2 NEW SINGLE FAMILY RESIDENCES TO BE CONSTRUCTED ON ADJACENT LOTS 416 AND 418-422. THESE ARE 2 SEPARATE HOUSES ON SEPARATE PROPERTIES, ONE ON A 25' X 90' LOT AND ONE SPANNING TWO 25' X 90' LOTS.

THE FIRST HOUSE WITH ATTACHED GARAGE IS LOCATED ON 416 GRAND BLVD. AND THE SECOND HOUSE WITH ATTACHED GARAGE POOL AND JACUZZI SPANS 418 AND 422 GRAND BLVD.

PARKING PROVIDED:
416 GRAND BLVD.: 2 COVERED
418-422 GRAND BLVD.: 2 COVERED + 1 GST.

FAIR: NOT RECD IN VENICE NORTH COASTAL AREA SPECIFIC PLAN.

FLOOR AREAS:
416 Grand Blvd.: 1064 s.f.
(garage is an additional 361 s.f.)

418-422 Grand Blvd.: 4816 s.f.
(garage is an additional 387 s.f.)

TOTAL SITE AREA:
416 GRAND BLVD.: 2250 SF
418-422 GRAND BLVD.: 4500 SF

PROJECT HEIGHTS MEASURED FROM CENTERLINE OF STREET AT CENTER OF LOTS:
416 GRAND BLVD.: 27' - 11.5' (FLAT ROOF)
418-422 GRAND BLVD.: 33' (SLOPING ROOF)

PLOT PLAN $\frac{1}{16}" = 1' - 0"$

12.18.14

416 GRAND BLVD. & 418-422 GRAND BLVD.

Exhibit 6

Page 1 of 9



California Coastal
Commission

EXHIBIT "A"

Page No. 1 of 9

Case No. 2A-2014-1356 *CDP*

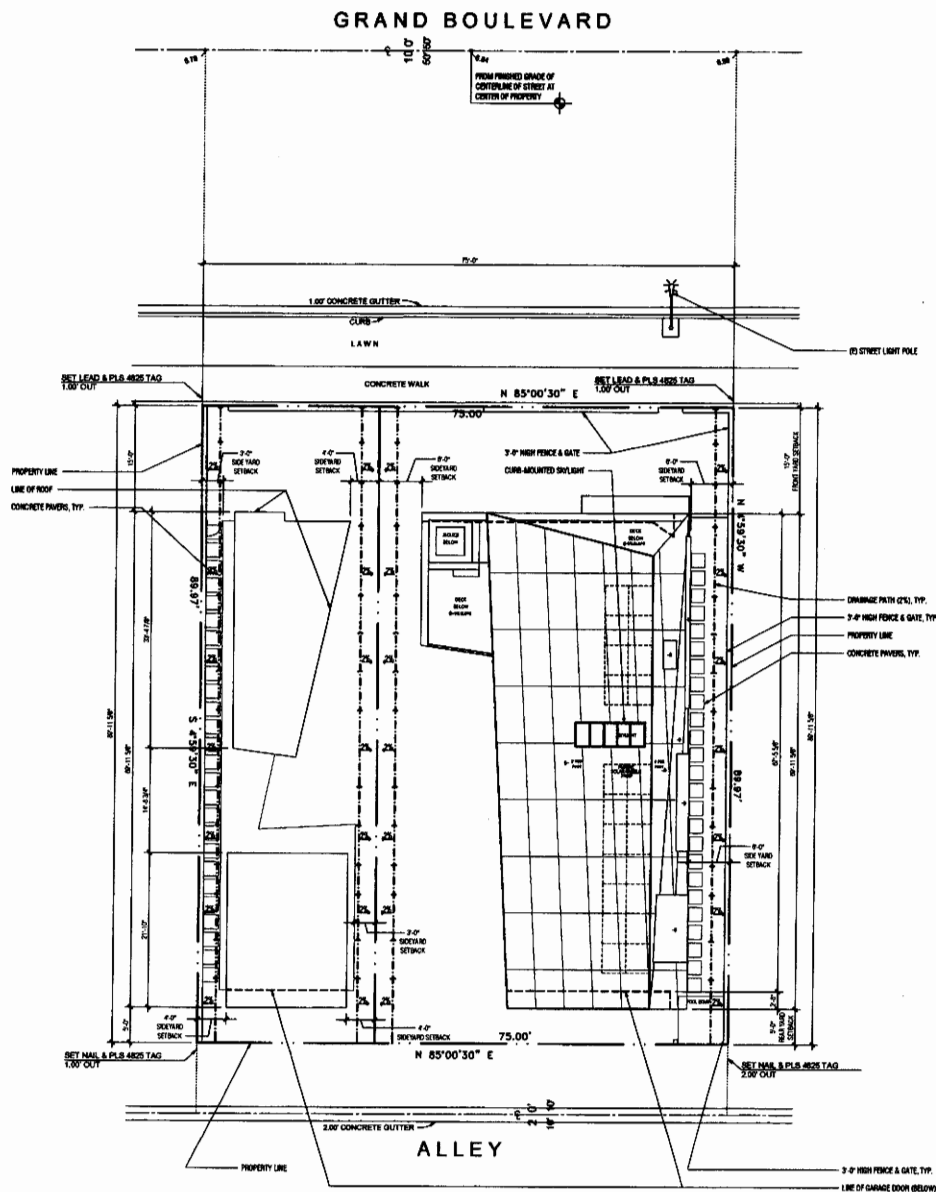


EXHIBIT "A"
 Page No. 2 of 9
 Case No. ZA-2014-1356-08

Exhibit 6
 Page 2 of 9
 California Coastal Commission



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**416
 GRAND
 BLVD**

416 GRAND BOULEVARD
 VENICE, CA 90291

**SITE
 PLAN**

SCALE: 1/8" = 1'-0"
 DATE: 03.21.14

A1.01

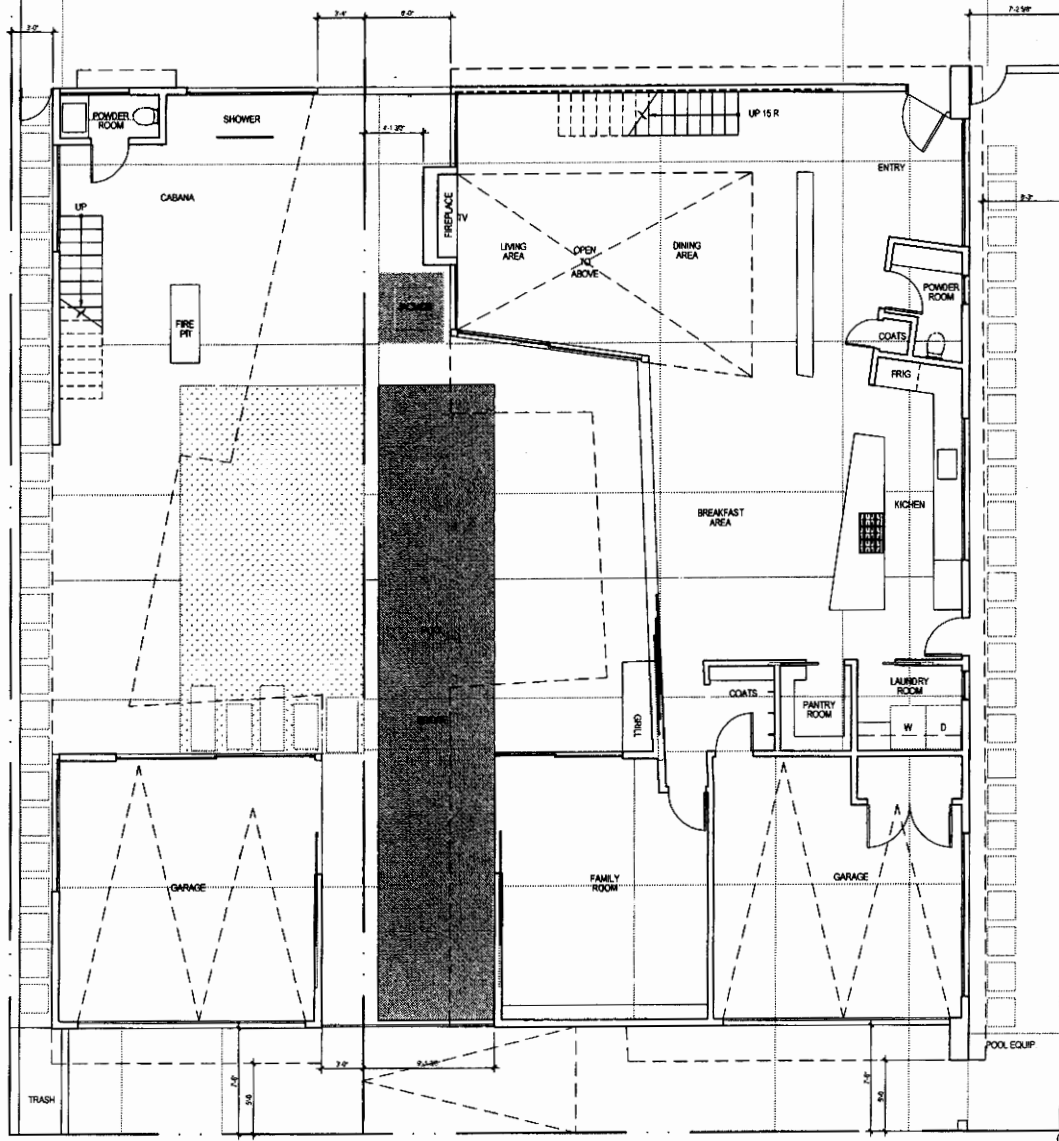


Exhibit 6

Page 3 of 9



California Coastal
Commission



EXHIBIT "A"

Page No. 3 of 9

Case No. 2A-2014-1956 CDP

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INTERIOR DESIGN
LANDSCAPE ARCHITECT
ELECTRICAL ENGINEER
MECHANICAL ENGINEER

LANDSCAPE ARCHITECT
MECHANICAL ENGINEER
ELECTRICAL ENGINEER
INTERIOR DESIGNER
LANDSCAPE ARCHITECT
ELECTRICAL ENGINEER

DESIGNER
ARCHITECTURAL RENDERING
INTERIOR DESIGNER
LANDSCAPE ARCHITECT
ELECTRICAL ENGINEER
MECHANICAL ENGINEER



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**416
GRAND
BLVD**

416 GRAND BOULEVARD
VENICE, CA 90291

**FIRST
FLOOR
PLAN**

SCALE: 1/4" = 1'-0"
DATE: 03.21.14

A2.01

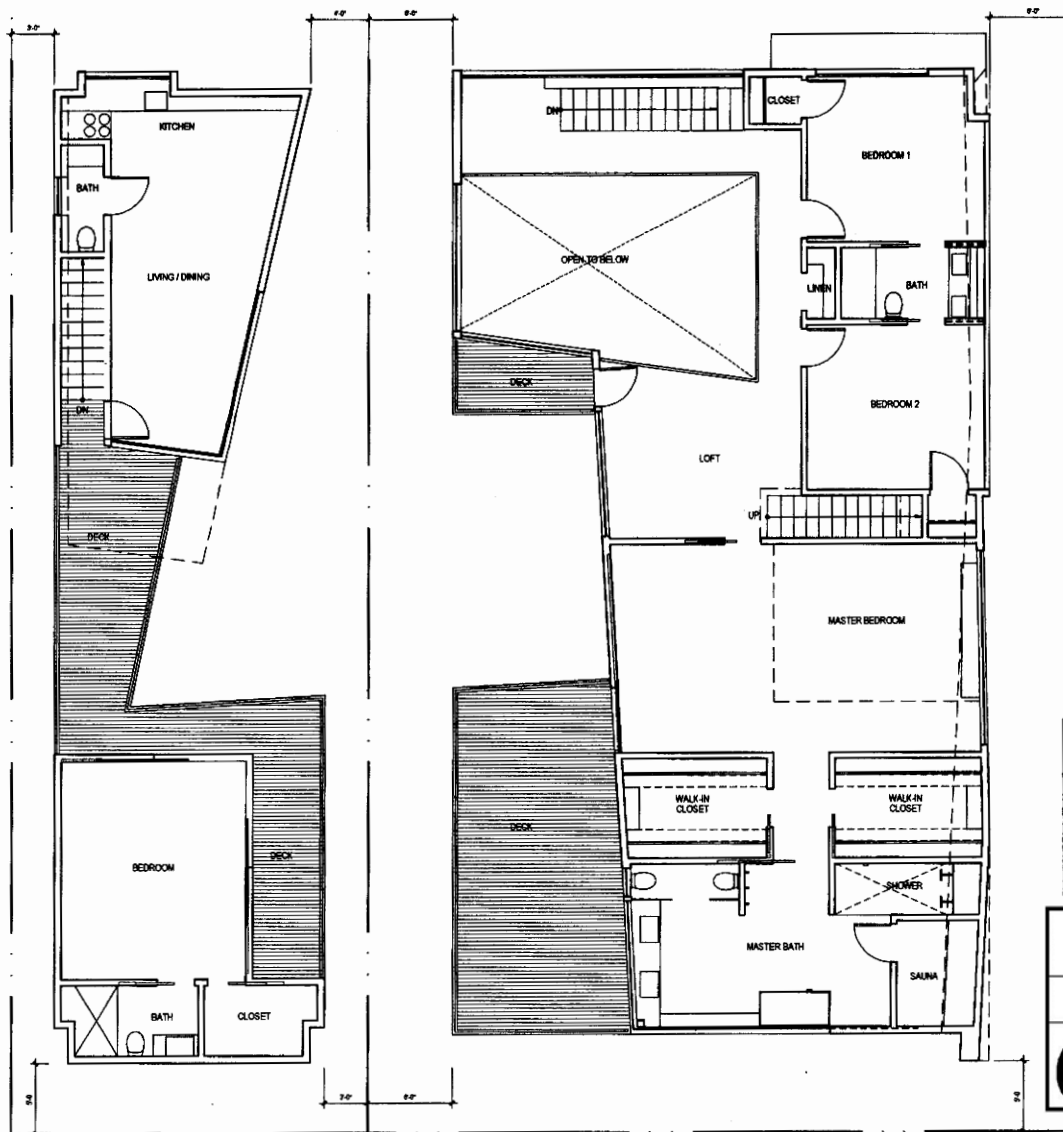


EXHIBIT "A"
 Page No. 4 of 4
 Case No. 2A-2013-1356

Exhibit 6
 Page 4 of 9
 California Coastal Commission



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 LANDSCAPE ARCHITECT
 MECHANICAL ENGINEER
 ELECTRICAL ENGINEER
 ENVIRONMENTAL ENGINEER
 PLUMBING ENGINEER
 STRUCTURAL ENGINEER

REVISIONS:
 01
 100% DESIGN SET IN
 RESPONSE TO THE
 COMMENTS OF THE
 CALIFORNIA COASTAL
 COMMISSION
 02/01/14
 JACOB GILLESPIE
 JACOB GILLESPIE ARCHITECTS



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 architect.

416 GRAND BLVD
 416 GRAND BOULEVARD
 VENICE, CA 90291

SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"
 DATE: 03.21.14

A2.02

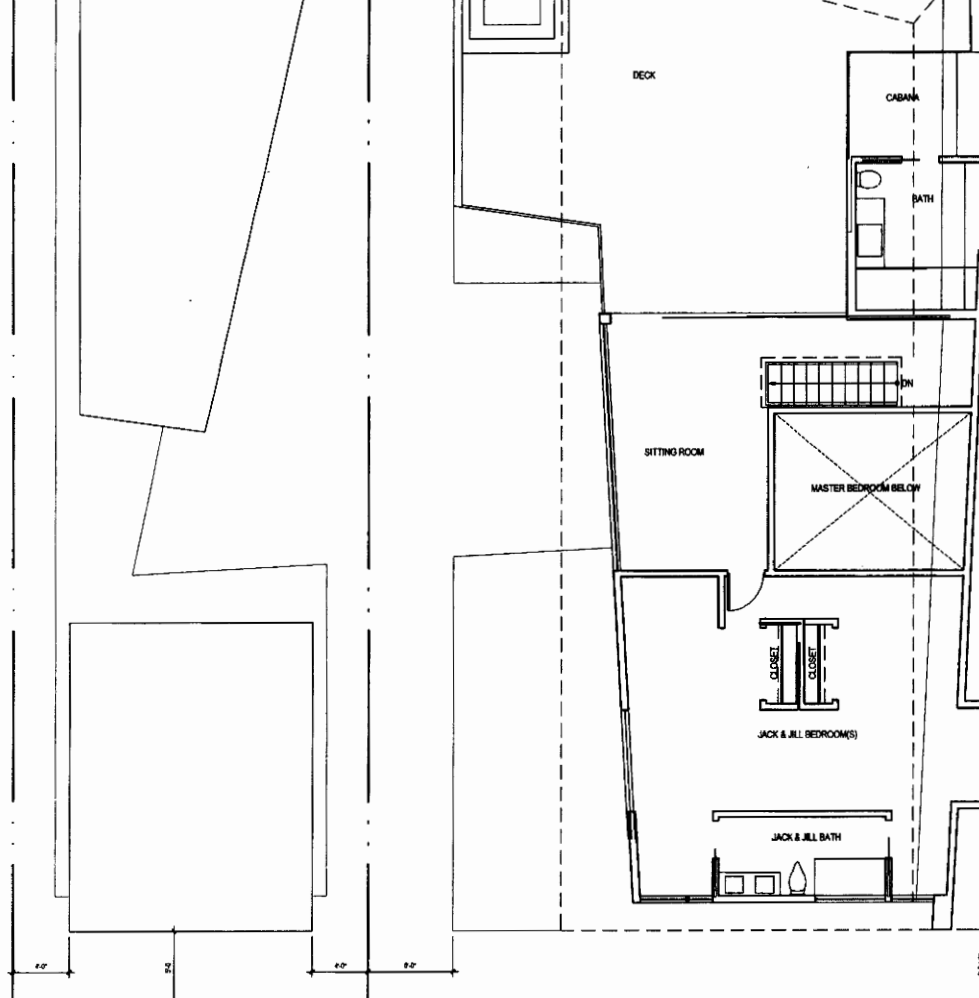


EXHIBIT "A"

Page No. 5 of 9
Case No. 2A-2014-1356

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Exhibit 6

Page 5 of 9



California Coastal
Commission



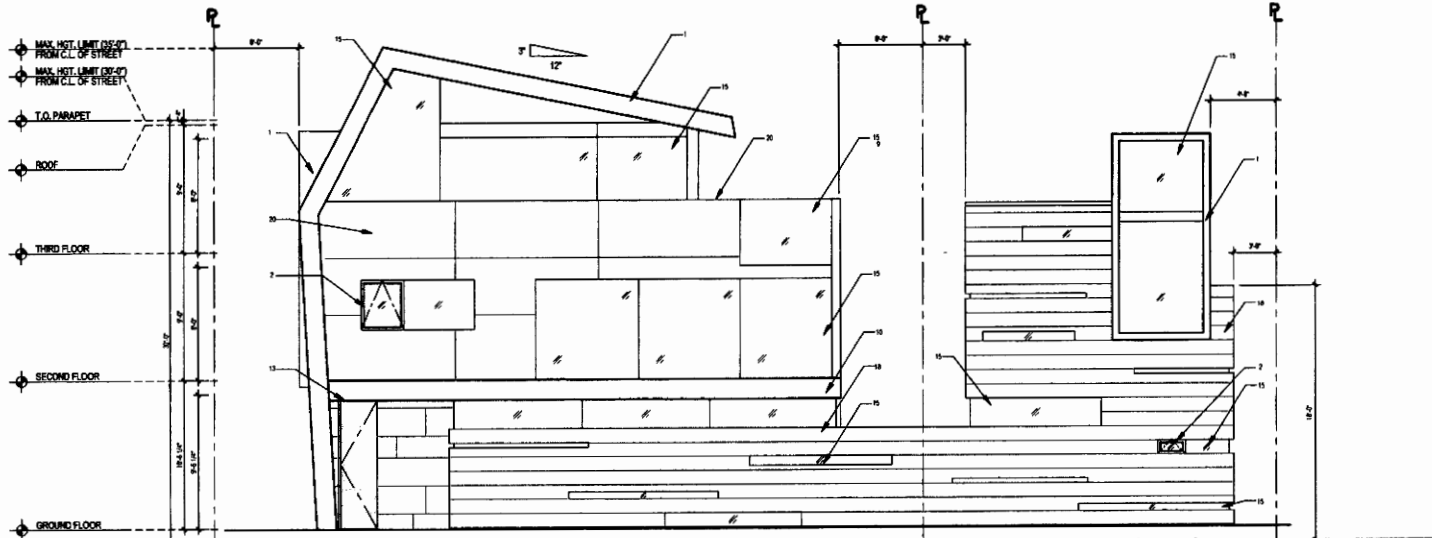
CONSULTA
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SIC FORESTRY
SIC MINING
SIC FISHING
SIC TRANSPORTATION
SIC UTILITIES
SIC GOVERNMENT
SIC EDUCATION
SIC HEALTHCARE
SIC RECREATION
SIC CULTURE
SIC OTHER

416
GRAND
BLVD
416 GRAND BLVD
VENICE, CA 90291

THIRD
FLOOR
PLAN

SCALE:
DATE:
A2

A2.04



NORTH ELEVATION

ELEVATION KEY NOTES

- 1 METAL PANELS
- 2 ALUMINUM WINDOWS BY JACK'S GLASS
- 3 SMOOTH STEEL-TROWELED STUCCO
- 4 SCULPTURAL GUTTER
- 5 CORROSION RESISTANT WEEP SCREED 1" ABOVE GRADE ON PAVING
- 6 METAL QUADRANT
- 7 GALV. SHEET METAL GUTTER AND DOWNSPOUTS
- 8 SELF-CLOSING SOLID BLIND METAL PANEL DOOR
- 9 JACUZZI WY GLASS FRONT
- 10 EXPOSED STEEL I-BEAM
- 11 GAS FIREPLACE
- 12 CURB-MOUNTED SKYLIGHT
- 13 RUSTY PATINA METAL AWNING
- 14 EXPOSED STEEL BEAM
- 15 FRAMELESS GLASS PANELS
- 16 GALV. METAL ROLLUP GARAGE DOOR
- 17 GALV. METAL SCUPPER
- 18 COMPOSITE WOOD CLADDING
- 19 ARTICULATION JOINTS
- 20 CBF COMPOSITE PANELS
- 21 COMPOSITE WOOD SCREEN

**ELEVATION
GENERAL NOTES**

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VINCE & SONS
FID. INSURANCE
FID. INSURANCE
FID. INSURANCE
FID. INSURANCE
FID. INSURANCE
FID. INSURANCE

FIELD DRAWING
DATE: 04/21/14
PROJECT: 416 GRAND BLVD
FILE: 416 GRAND BLVD
DATE: 04/21/14
DRAWN BY: J. GRAY
CHECKED BY: J. GRAY
APPROVED BY: J. GRAY



**416
GRAND
BLVD**
416 GRAND BOULEVARD
VENICE, CA 90291

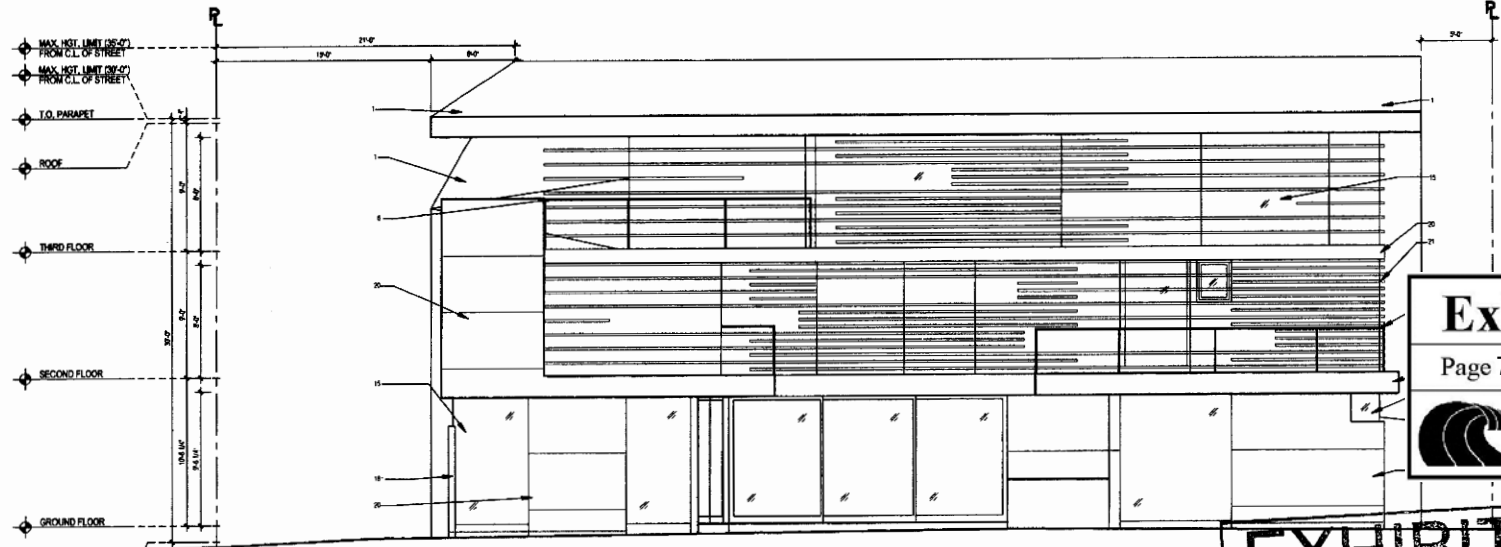
**EXTERIOR
ELEVATIONS**

SCALE: 1/4" = 1'-0"
DATE: 04.21.14

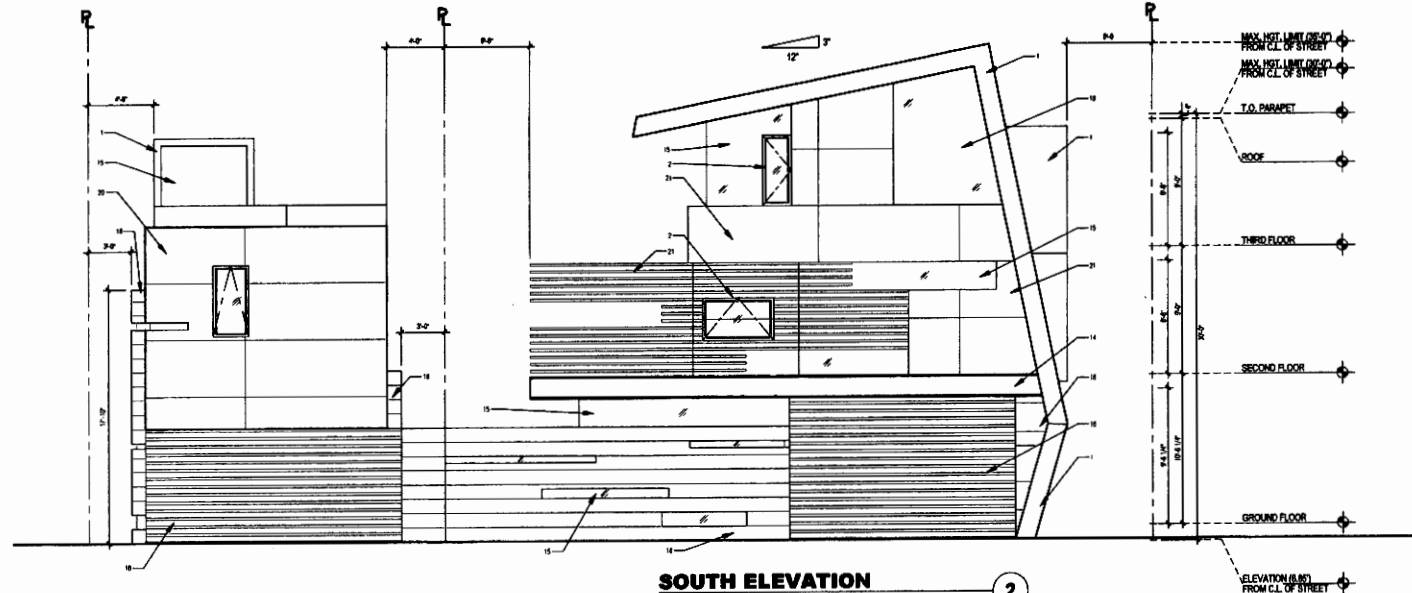
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Exhibit 6
Page 7 of 9
 California Coastal Commission

EXHIBIT "A"
Page No. 7 of 9
Case No. ZA-2014-1356-CDP



WEST ELEVATION



ELEVATION KEY NOTES

- 1 METAL PANELS
- 2 ALUMINUM WINDOWS BY JACK'S GLASS
- 3 SMOOTH & STEEL-TROWELED STUCCO
- 4 SCULPTURAL GUTTER
- 5 CORROSION RESISTANT WEEP SCREED 4" ABOVE GRADE OR PAVING
- 6 METAL GUARDRAIL
- 7 GALV. SHEET METAL GUTTER AND DOWNSPOUTS
- 8 SELF-CLOSING SOLID SLAB METAL PANEL DOOR
- 9 JACOZZI W/ GLASS FRONT
- 10 EXPOSED STEEL I-BEAM
- 11 GAS FIREPLACE
- 12 CURB-MOUNTED BAYLIGHT
- 13 RUST PATINA METAL FINISH
- 14 EXPOSED STEEL BEAM
- 15 FRAMELESS GLASS PANELS
- 16 GALV. METAL ROLLUP GARAGE DOOR
- 17 GALV. METAL SCUPPER
- 18 COMPOSITE WOOD CLADDING
- 19 ARTICULATION JOINTS
- 20 CMF COMPOSITE PANELS
- 21 COMPOSITE WOOD SCREEN

ELEVATION GENERAL NOTES

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**416
GRAND
BLVD**

416 GRAND BOULEVARD
VENICE, CA 90291

**EXTERIOR
ELEVATIONS**

SCALE: 1/4" = 1'-0"
DATE: 03.21.14

A5.02

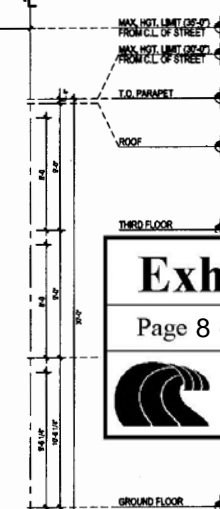
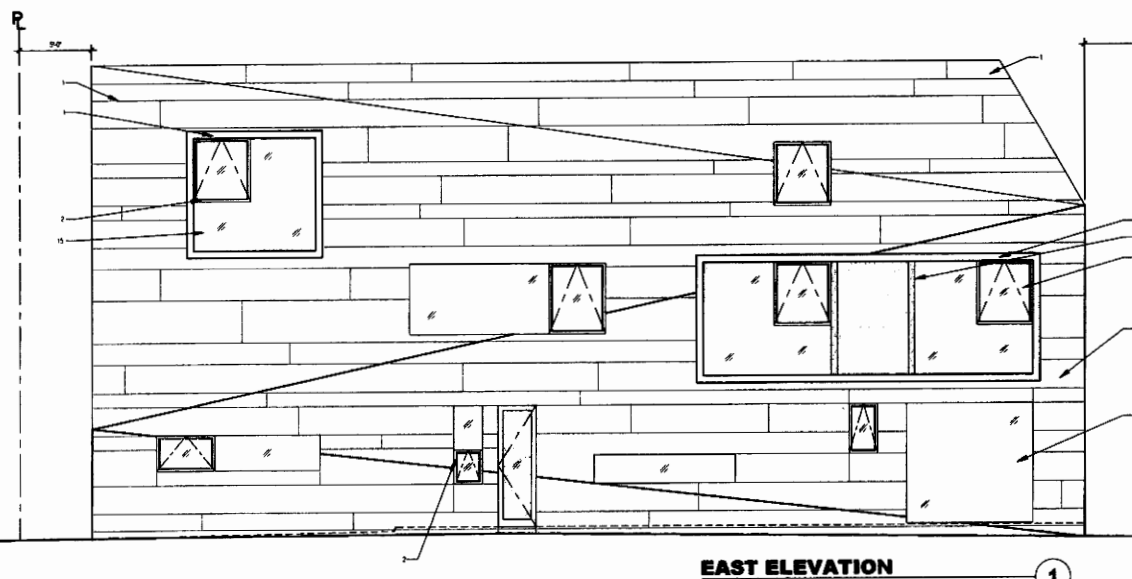


Exhibit 6

Page 8 of 9

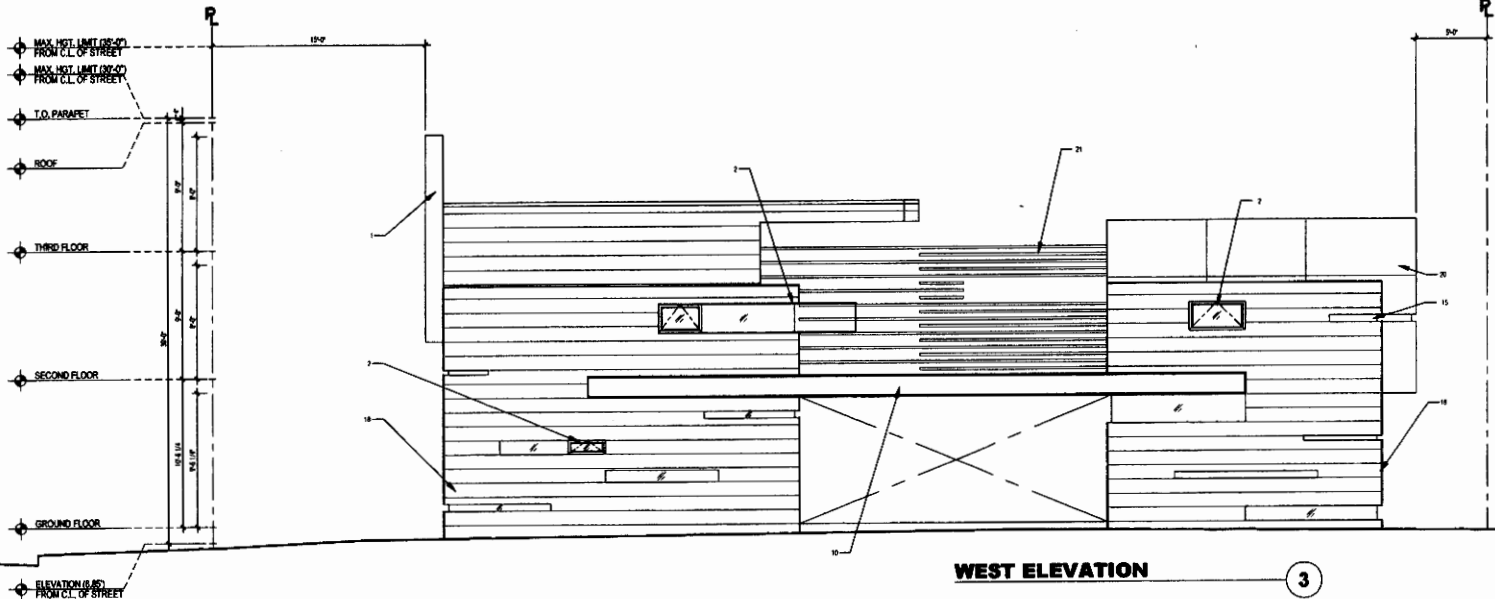


California Coastal
Commission

EXHIBIT "A"

Page No. 8 of 9

Case No. 2A-2014-1356-GDP



ELEVATION KEY NOTES

- 1 METAL PANELS
- 2 ALUMINUM WINDOWS BY JACK'S GLASS
- 3 SMOOTH STEEL-TROWELED STUCCO
- 4 SCULPTURAL CUTTER
- 5 CORROSION RESISTANT WELD SCREEN 4" ABOVE GRADE OR PAVING
- 6 METAL GUARDRAIL
- 7 GALV. SHEET METAL CUTTER AND DOWNSPOUTS
- 8 SELF CLOSING BOLDED SLAB METAL PANEL DOOR
- 9 JACUZZI W/ GLASS FRONT
- 10 EXPOSED STEEL I-BEAM
- 11 GAS FIREPLACE
- 12 CURB-MOUNTED SKYLIGHT
- 13 RUST PATINA METAL AWNING
- 14 EXPOSED STEEL BEAM
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- 17 GALV. METAL SCUPPER
- 18 COMPOSITE WOOD CLADDING
- 19 ARTICULATION JOINTS
- 20 CMF COMPOSITE PANELS
- 21 COMPOSITE WOOD SCREEN

ELEVATION GENERAL NOTES

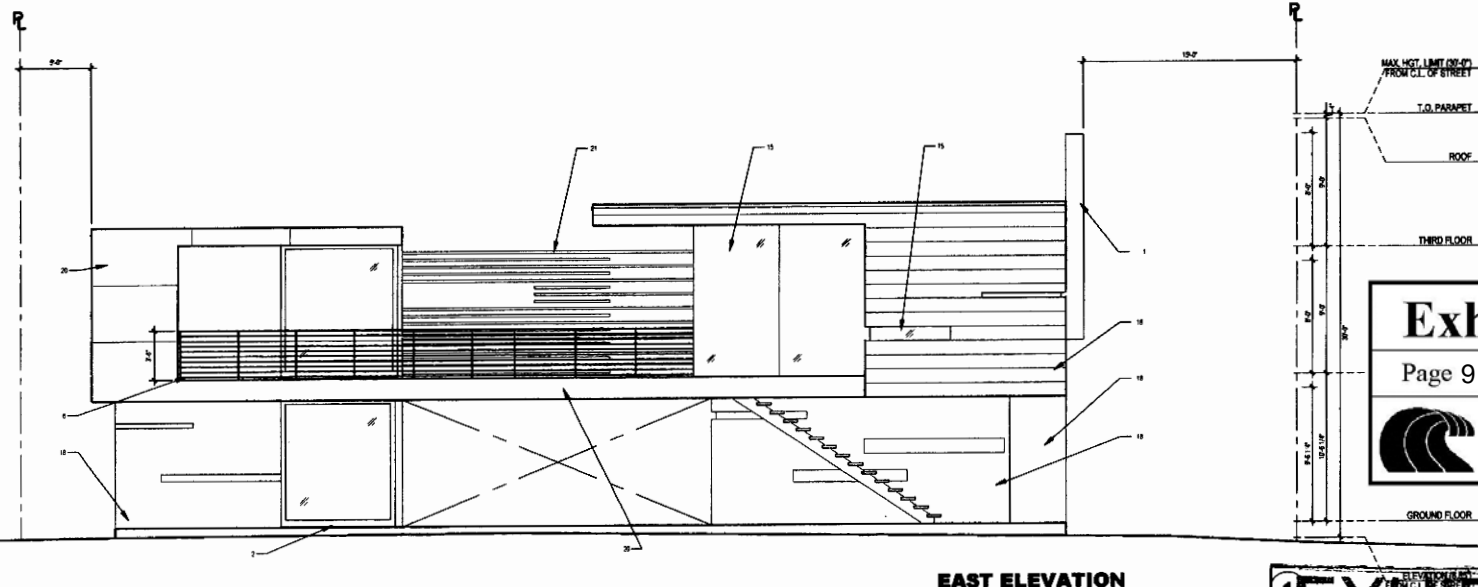


Exhibit 6

Page 9 of 9



California Coastal
Commission

EXHIBIT "A"

Page No. 9 of 9

Case No. ZA-2014-1356-COP

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**416
GRAND
BLVD**

416 GRAND BOULEVARD
VENICE, CA 90291

**POOL
CABANA
EXTERIOR
ELEVATIONS**

SCALE: 1/4" = 1'-0"
DATE: 03.21.14

A5.03



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5-130949
Mayor
Mercedes M. Márquez, General Manager

Asset Management Division
1200 West 7th Street, 8th Floor, Los Angeles, CA 90017
tel 213.808.8593
hcidla.lacity.org

DEC 19 2013

CALIFORNIA
COASTAL COMMISSION

Exhibit 7

Page 1 of 1



California Coastal
Commission

Date: June 27, 2013

To: Greg Shoop, City Planner
City Planning Department

From: Douglas Swoger, Director of Asset Management
Los Angeles Housing and Community Investment Department

Subject: Mello Act Determination for
416-418 & 422-424 Grand Blvd, Venice, CA 90291

Based on information provided by the owner, 416 and 418 Grand Blvd. LLC, a California limited liability company, the Los Angeles Housing and Community Investment Department (HCID) has determined that four (4) affordable units exist at 416-418 & 422-424 Grand Blvd, Venice, CA 90291.

The property consists of two (2) duplex dwellings. Each unit is composed of one (1) bedroom. Per the statement provided by the owner, 416 and 418 Grand Blvd LLC, the two duplexes will be demolished and replaced with one (1) single family dwelling spanning 3 of the 4 lots. The 4th lot will be incorporated into a future project. The owner purchased 416-418 Grand Blvd on July 30, 2012 and 422-424 Grand Blvd on August 8, 2012. A Building Permit has not been filed to date.

Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act requires that LAHD collect monthly housing cost data for at least the previous three years. The owner's Mello application statement was received by LAHD on May 28, 2013. LAHD must collect data from: May, 2010 through May, 2013.

Per the owner, Unit 416 and 418 are currently tenant occupied and Unit 422 and 424 were vacated by tenants on March 18, 2013. Monthly rent for Unit 416 is \$1,240 per month with tenancy that started on February 2012. Monthly rent for Unit 418 is \$1,146 per month with tenancy that started on July 1995 at \$750 per month. Monthly rent for Unit 422 was \$1,022 per month and monthly rent for Unit 424 was \$1,630 per month. LAHD sent the required 30-day letter to each unit, however only Unit 416 responded in disclosing their income and rent on the Request for Determination as Eligible Household Under Mello Act Regulations form.

The rental agreement provided for Unit 416 and 418 show a pattern of housing cost that is affordable. There was no rental agreement for Unit 422 and 424. Per the owner's statement, the stated rent for Unit 422 was at an affordable level and Unit 424 was above affordable. However, due to insufficient documentation for Unit 424, LAHD policy is to find it affordable.

cc: Los Angeles Housing and Community Investment Department File
416 and 418 Grand Blvd. LLC, a California limited liability company, Owner
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.

DS:VD:MAC:rl

MEL-5**Mello Act Compliance Review Worksheet
Proposed Demolitions and Conversions in the Coastal Zone**

Case or Permit No.	Address: 422-424 GRAND BOULEVARD, VENTURA, CA			
Project Description: CONVERSION OF A DUPLEX INTO A SINGLE FAMILY DWELLING	Number of Whole Residential Units			
	Existing	To be Demolished	To be Converted	To be Built
	2	2		1

QUESTIONS

- Will residential structures be demolished or converted for purposes of a non-residential use?
 - ☐ YES Go to next question.
 - ☒ NO Skip to question 4.
- Is the proposed use a Coastal-Dependent non-residential use¹?
 - ☐ YES Skip to question 4.
 - ☐ NO Go to next question.
- Is a residential use feasible² at this location?
 - ☐ YES STOP. The application to demolish or convert residential structures for purposes of a non-residential use is denied.
 - ☐ NO Go to next question.
- Are any Affordable Existing Residential Units proposed for Demolition or Conversion? (Consult the "affordability determination report" prepared by the Los Angeles Housing Department.)
 - ☒ YES Record the number of identified Affordable Existing Residential Units in the box, and go to the next question.
 - ☐ NO Record a "zero" in the box and STOP. The provision of Affordable Replacement Units is not required. 2
- Is the Application for Coastal-Dependent¹ or Coastal-Related³ non-residential uses? Are these non-residential uses consistent with the Land Use Plan of a certified Local Coastal Program?
 - ☐ If the answer to both questions is "YES," skip to question 8.
 - ☒ If the answer to either question is "NO," go to next question.
- Are 11 or more Residential Units proposed for Demolition or Conversion?
 - ☐ YES Copy the number recorded in question 4 as Total Number of Required Affordable Replacement Units below and STOP. All Affordable Existing Residential Units recorded in question 4 must be replaced.
 - ☒ NO Go to next question.
- Are any Affordable Existing Residential Units in one-family or two-family dwellings?
 - ☒ YES Go to next question.
 - ☐ NO Copy the number recorded in question 4 as Total Number of Required Affordable Replacement Units below and STOP. All Affordable Existing Residential Units recorded in question 4 must be replaced.
- Is it infeasible² for the Applicant to replace any of the Affordable Existing Residential Units recorded in question 4?
 - ☒ YES How many units are infeasible? Record this number in the box and subtract it from the number recorded for question 4. Record the result in the box below as Total Number of Required Affordable Replacement Units.
 - ☐ NO It is feasible for the Applicant to replace all the Affordable Existing Residential Units proposed for Demolition or Conversion. Record the number "zero" in the box column. Copy the number recorded in question 4 as Total Number of Required Affordable Replacement Units below. 2

TOTAL NUMBER OF REQUIRED AFFORDABLE REPLACEMENT UNITS: 0Completed By: Kristy JonesDate: 02/09/2015**INSTRUCTIONS:** Department of City Planning staff must answer each question. Department of City Planning Staff must use the Interim Administrative Procedures for reference to complete this Worksheet.**Exhibit 8**

Page 1 of 6

California Coastal
Commission

DEFINITIONS

- ¹ **"Coastal-Dependent Non-Residential Use"** means any non-residential development or use which requires a site on, or adjacent to, the sea to be able to function at all.
- ² **"Feasible"** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.
- ³ **"Coastal-Related Nonresidential Use"** means any nonresidential development or use that is dependent on a Coastal-Dependent Non-Residential Use.

Mello Feasibility Study For Low Income Units

Property Address: 422-424 Grand Blvd.
(A double lot which requires 2 low income units).

Purchase Cost: \$1,050,000

Building Cost: \$1,160,000

A. 1st Low Income Home + 2 car garage:

1,200 sf x \$400.00/sf = \$480,000 (home)

400 sf x \$250.00/sf = \$100,000 (garage)

B. 2nd Low Income Home

1,200 sf x \$400.00/sf = \$480,000 (home)

400 sf x \$250.00/sf = \$100,000 (garage)

C. Total cost for both homes and garages: **\$1,160,000**

Total Cost to purchase lot and build: \$2,210,000

20% down payment: \$ 442,000

80% Loan Amount: \$ 1,768,000

Mortgage Payment

at 4.5% interest: \$ 8,958

Return on Investment

At 4.5% interest \$ 1,657

Property Insurance \$ 300

Property Taxes (1.2%) \$ 2,117

Total Monthly Expenses: \$ 13,032

Rental Income \$3,564 (\$ 1,782 per home x 2 = **\$3,564**)

Los Angeles Housing Dept. 2012

Income and rental Limits,

Moderate Rate (3 bedroom 4 people)

Cost Comparison

Monthly Expenses: \$13,032

Monthly Rental Income: \$3,564

Monthly Loss: \$ 9,468

Yearly Loss: \$ 113,616

Yearly Loss

(without return

on investment) \$93,732

MEL-5

Mello Act Compliance Review Worksheet Proposed Demolitions and Conversions in the Coastal Zone

Case or Permit No.	Address: 416-418 GRAND BOULEVARD			
Project Description: CONVERSION OF A DUPLEX INTO A SINGLE-FAMILY DWELLING	Number of Whole Residential Units			
	Existing	To be Demolished	To be Converted	To be Built
	2	2		1

QUESTIONS

- 1) Will residential structures be demolished or converted for purposes of a non-residential use?
☐ YES Go to next question.
☒ NO Skip to question 4.
- 2) Is the proposed use a Coastal-Dependent non-residential use¹?
☐ YES Skip to question 4.
☐ NO Go to next question.
- 3) Is a residential use feasible² at this location?
☐ YES STOP. The application to demolish or convert residential structures for purposes of a non-residential use is denied.
☐ NO Go to next question.
- 4) Are any Affordable Existing Residential Units proposed for Demolition or Conversion? (Consult the "affordability determination report" prepared by the Los Angeles Housing Department.)
☒ YES Record the number of identified Affordable Existing Residential Units in the box, and go to the next question.
☐ NO Record a "zero" in the box and STOP. The provision of Affordable Replacement Units is not required. 2
- 5) Is the Application for Coastal-Dependent¹ or Coastal-Related³ non-residential uses? Are these non-residential uses consistent with the Land Use Plan of a certified Local Coastal Program?
☐ If the answer to both questions is "YES," skip to question 8.
☒ If the answer to either question is "NO," go to next question.
- 6) Are 11 or more Residential Units proposed for Demolition or Conversion?
☐ YES Copy the number recorded in question 4 as Total Number of Required Affordable Replacement Units below and STOP. All Affordable Existing Residential Units recorded in question 4 must be replaced.
☒ NO Go to next question.
- 7) Are any Affordable Existing Residential Units in one-family or two-family dwellings?
☒ YES Go to next question.
☐ NO Copy the number recorded in question 4 as Total Number of Required Affordable Replacement Units below and STOP. All Affordable Existing Residential Units recorded in question 4 must be replaced.
- 8) Is it infeasible² for the Applicant to replace any of the Affordable Existing Residential Units recorded in question 4?
☒ YES How many units are infeasible? Record this number in the box and subtract it from the number recorded for question 4. Record the result in the box below as Total Number of Required Affordable Replacement Units.
☐ NO It is feasible for the Applicant to replace all the Affordable Existing Residential Units proposed for Demolition or Conversion. Record the number "zero" in the box column. Copy the number recorded in question 4 as Total Number of Required Affordable Replacement Units below. 2

TOTAL NUMBER OF REQUIRED AFFORDABLE REPLACEMENT UNITS: 0Completed By: *K. D. Jones*

Date:

02/09/2015

INSTRUCTIONS: Department of City Planning staff must answer each question Department of City Planning Staff must use the Interim Administrative Procedures for reference to complete this Worksheet.

Exhibit 8

Page 4 of 6

California Coastal
Commission

DEFINITIONS

- ¹ **"Coastal-Dependent Non-Residential Use"** means any non-residential development or use which requires a site on, or adjacent to, the sea to be able to function at all.
- ² **"Feasible"** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.
- ³ **"Coastal-Related Nonresidential Use"** means any nonresidential development or use that is dependent on a Coastal-Dependent Non-Residential Use.

Mello Feasibility Study For Low Income Units

Property Address: 416-418 Grand Blvd.
(A double lot which requires 2 low income units).

Purchase Cost: \$957,000

Building Cost: \$1,160,000

A. 1st Low Income Home + 2 car garage:

1,200 sf x \$400.00/sf = \$480,000 (home)

400 sf x \$250.00/sf = \$100,000 (garage)

B. 2nd Low Income Home

1,200 sf x \$400.00/sf = \$480,000 (home)

400 sf x \$250.00/sf = \$100,000 (garage)

C. Total cost for both homes and garages: **\$1,160,000**

Total Cost to purchase lot and build: \$2,117,000

20% down payment: \$ 423,400

80% Loan Amount: \$ 1,693,600

Mortgage Payment

at 4.5% interest: \$ 8,581

Return on Investment

At 4.5% interest \$ 1,587

Property Insurance \$ 300

Property Taxes (1.2%) \$ 2,117

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MAY 4 2015

CALIFORNIA
COASTAL COMMISSION

Total Monthly Expenses: \$ 12,585

Rental Income **\$3,564** (\$ 1,782 per home x 2 = **\$3,564**)

Los Angeles Housing Dept. 2012

Income and rental Limits,

Moderate Rate (3 bedroom 4 people)

Cost Comparison

Monthly Expenses: \$12,585

Monthly Rental Income: \$3,564

Monthly Loss: \$ 9,021.

Yearly Loss: \$ 108,252

Yearly Loss \$ 89,208

(without Return
on investment)

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**Exhibit 9**

Page 1 of 2

California Coastal
Commission

November 19, 2013

Melinda Gray, Architect
639 East Channel Road
Santa Monica, CA 90402

Re: Coastal Development Permit Application 5-13-0949 (416-424 Grand Blvd., Venice).

Dear Ms. Gray:

On October 22, 2013, our office received the above referenced application for a coastal development permit requesting Commission approval to demolish two duplexes on four adjoining lots and to construct a new three-story single-family residence across three of the lots (Lot Nos. 6, 7 & 8). The proposed project is situated in the North Venice area of the City of Los Angeles.

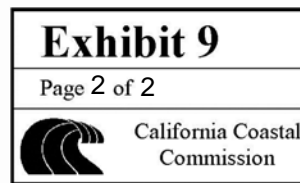
After careful consideration of the application, we have determined that we are unable to accept the application for a coastal development permit because the proposed project requires a local coastal development permit issued by the City of Los Angeles. Therefore, we are returning the submitted application materials and will begin processing a refund of the \$538 application fee.

Pursuant to Section 30600(b) of the Coastal Act, the City of Los Angeles has opted to issue its own coastal development permits prior to certification of a Local Coastal Program (LCP) except for those permits eligible for issuance as administrative coastal development permits by the Executive Director under Section 30624 of the Coastal Act. The types of projects that qualify for administrative approvals under Section 30624 of the Coastal Act are limited to: minor additions to existing uses, projects that cost less than \$100,000, and single family residences and multiple residential projects of four or less units that conform to current zoning standards.

The proposed project does not qualify for an administrative coastal development permit under Section 30624 of the Coastal Act because the proposed development does not conform with the Residential Land Use and Development Standards set forth in the City of Los Angeles certified Land Use Plan (Venice LUP) for Venice.

In regards to residential lot consolidations, such as the proposed project, certified Venice LUP Policy 1.A.1.b states:

Residential Lot Consolidations. *In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand residential neighborhoods. No more than two lots may be consolidated in the Ballona Lagoon West, Ballona Lagoon (Grand Canal) East, Southeast Venice, Milwood, North Venice and Oxford Triangle neighborhoods and on walk streets. Lot consolidations of not more than three lots shall be permitted in the Oakwood and Marina Peninsula residential neighborhoods. Lot consolidations may be permitted only subject to the following limitations:*



i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation with the exception of subterranean development that is entirely below street elevation.

ii. Building facades shall be varied and articulated to provide a pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street. No increase in the number of units shall result from the lot consolidation.

iii. Front porches, bays and balconies shall be provided to maximize architectural variety.

The proposed project would consolidate three lots (Lot Nos. 6, 7 & 8) in the North Venice Area. The certified Venice LUP prohibits the consolidation of more than two lots in the North Venice area, as does the City of Los Angeles Venice Coastal Specific Plan. The lot consolidation limit preserves the nature of existing residential neighborhoods by preventing the construction of massive structures that are not in character with the area. For this reason the proposed project does not qualify for an administrative coastal development permit, and the proposed project must apply for the required coastal development permit from the City of Los Angeles.

Please submit an application for a local coastal development permit for the proposed project to the City of Los Angeles Planning Department. As an alternative, you may apply for a coastal development permit from our office if the project is revised to conform with Residential Land Use and Development Standards set for in the City of Los Angeles certified Land Use Plan and the Venice Coastal Specific Plan.

Please keep in mind that Section 30602 of the Coastal Act establishes that all City of Los Angeles actions on coastal development permits are appealable to the Coastal Commission by any person. If you have any questions regarding this matter, please call me at (562) 590-5071.

Sincerely,



Charles R. Posner
Coastal Program Analyst

cc: Gregory Shoop, City of L.A. Planning Dept.

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**Exhibit 10**

Page 1 of 79

California Coastal
Commission**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT****SECTION I. Appellant(s)**

Name, mailing address and telephone number of appellant(s):

Coastal Commission Executive Director, Charles Lester
South Coast District
200 Oceangate, Suite 1000
Long Beach, CA 90802 (562) 590-5071

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Los Angeles
2. Brief description of development being appealed: Construction of a three-story, 35 foot high, 4,816 single family residence and consolidation of two lots
3. Development's location: 418-422 Grand Blvd., Venice, City of Los Angeles, Los Angeles County
4. Description of decision being appealed: City of Los Angeles Coastal Development Permit No. ZA-2014-1358-CDP-1A
 - a. Approval; no special conditions: _____
 - b. Approval with special conditions: X
 - c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:**APPEAL NO:** A-5-VEN-15-0026**DATE FILED:** April 17, 2015**DISTRICT:** South Coast

5. Decision being appealed was made by (check one):
- a. Planning Director/Zoning Administrator: _____
 - b. City Council/Board of Supervisors: _____
 - c. Planning Commission: XX
 - d. Other: _____
6. Date of local government's decision: March 17, 2015
7. Local government's file number: City of Los Angeles Coastal Development Permit No. ZA-2014-1358-CDP1A

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties.
(Use additional paper as necessary.)

1. Name and mailing address of permit applicant:
- 422 Grand Boulevard, LLC, Attn: Rosario Perry
1880 Century Park East, Suite 200
Los Angeles, CA 90067
2. Name and mailing address of permit applicant's agent:
- Gray Matter Architecture
639 East Channel Road
Santa Monica, CA 90402
3. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
- Robin Rudisill, Angelina Meany, David Troy Smith, and six others
3003 Ocean Front Walk
Venice, Los Angeles CA 90291

SECTION IV. Reasons Supporting This Appeal

The City approved development may not be consistent with the Chapter 3 policies of the Coastal Act regarding biological productivity/water quality, community character, and minimization of adverse impacts to coastal resources. Additionally, the City approved development may not be consistent with certified Venice Land Use Plan policies regarding residential lot consolidations, yards, and building height. The City's action to approve the structure could prejudice its ability to develop a certified Local Coastal Program.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The City approved development may not be consistent with Section 30231 of the Coastal Act because the site plan does not call out on-site drainage devices and the special conditions of the approved permit do not provide for construction best management practices to prevent discharge of construction debris into coastal waters. Finally, the approved landscape plans may or may not include drought tolerant non-invasive species and associated irrigation control and drainage devices to minimize water use and preserve water quality.

Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall...be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality in visually degraded areas.

Section 30253 of the Coastal Act states in part:

New development shall...

*d) minimize energy consumption and vehicle miles traveled
e) where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The approved development may not be consistent with Sections 30251 and 30253 of the Coastal Act because the bulk and scale of the structure may not be compatible with the structures on the surrounding block or the community character of the North Venice subarea.

Page 2-17 of the certified Venice Land Use Plan contains a Development Standard for Residential Lot Consolidations. Subsection b states, in part:

In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand Residential Neighborhoods. No more than two lots may be consolidated in...North Venice. Lot consolidations may be permitted only subject to the following limitations:

- i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation...*
- ii. Building facades shall be varied and articulated to provide a pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street...*
- iii. Front porches, bays, and balconies shall be provided to maximize architectural variety.*

The City approved development may not be consistent with these standards because the single family residence would consolidate two lots and is being developed by the same property owner and architect (and under the same City hearing) as the adjacent development next door (416 Grand Blvd, subject to related appeal A-5-VEN-15-0027). The façade does not appear to be articulated and does not appear to be consistent with the mass and scale of neighboring structures. Front porches and balconies do not appear to be provided – and even if they are proposed they may be located behind an approximately nine foot high wall fronting the residence.

Page 2-15 of the certified Venice Land Use Plan contains a standard for Residential Building Height in the North Venice Subarea, which states:

Not to exceed 30 feet for buildings with flat roofs; or 35 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet.

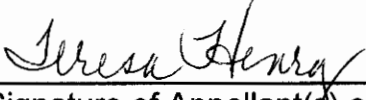
Based on the City approved plans, it is not clear that the angled roofline which exceeds 30 feet in height is set back from the required front yard one foot for every foot in height above 30 feet.

Finally, the City approved development appears to include a solid wall approximately nine feet high which may front the street and wrap around not only the structure approved by the City subject to City of Los Angeles Coastal Development Permit No. ZA-2014-1358-CDP-1A, but also the adjacent development next door (416 Grand Blvd, subject to

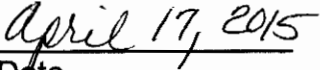
related appeal A-5-VEN-15-0027). That wall would be higher than allowed by the City of LA zoning code and would not be consistent with the character of the area. Cumulatively, the City's actions to approve Coastal Development Permit No. ZA-2014-1358-CDP-1A and the adjacent development next door could prejudice its ability to develop a certified Local Coastal Program.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent



Date

5-VEN-15-0012

A-5-VEN-15-0026

STATE OF CALIFORNIA - THE RESOURCES AGENCY

MUNDO G. BROWN JR., Governor

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4416

VOICE (562) 590-5071 FAX (562) 590-5084



562-590-5084 5084

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form

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South Coast Region

APR 17 2015

SECTION I. Appellant(s)

Name: Robin Rudisill, as an individual and not on behalf of the VNC or LUPC, et al

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: CA

Phone: 90291

CALIFORNIA
COASTAL COMMISSION

* see attached

SECTION II. Decision Being Appealed

1. Name of local/port government:

L.A.

2. Brief description of development being appealed:

418-422 Grand--demo existing duplex, construct [2 of 2] new 5,200 sq ft SFD with attached 2-car garage

3. Development's location (street address, assessor's parcel no., cross street, etc.):

418-422 Grand Blvd, cross street Riviera Ave, APN: 423-802-0004 (same as 416 Grand) & 423-802-0005

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
- ☒ Approval with special conditions:
- ☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: _____

DATE FILED: _____

DISTRICT: _____

* Appellants
418-422 Grand Blvd.
Appeal 4-17-15

- Robin Rudisill
- Jason Lord
- Angelina Meany
- David Troy Smith
- Kevin Keresey
- Terry Keresey
- Dickie Goddard
- Gretchen Goddard
- Dr. Judith Goldman
- Lydia Ponce
- Laddie Williams
- Kim Michalowski

Embassy Suites Hotel 415-499-9268

T-171 P0002/0042 F-671

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
☐ City Council/Board of Supervisors
☒ Planning Commission
☐ Other

6. Date of local government's decision: MARCH 17, 20157. Local government's file number (if any): ZA-2014-1358-CDP-1A & related MND**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Rosario Perry, 422 Grand Blvd, LLC, 1880 Century Park East Suite 200, L.A., CA 90067
Melinda Gray, Gray Matter Architecture, 639 East Channel Road, Santa Monica, CA 90402

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**SECTION IV. Reasons Supporting This Appeal****PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

REASONS/GROUNDS:**A. Due Process:**

The recent Appeal decision for this case by the West L.A. Area Planning Commission did not represent "due process," as the City Attorney constantly interfered with the Commission's deliberations, steering them away from any indications that they might be supportive of the Appeals, and including continuing the original hearing and giving no answer when asked why by the Appellants, and including coming up with the Motion when the Commissioners were confused, and including combining the two CDP decisions into one Motion, among many other details which are summarized in the audio transcript of the meeting. Thus, many do not believe that the City Appeal was a fair hearing/due process and thus the appeal still deserves an appeal review that is done fairly and according to the "due process" afforded to all U.S. citizens under the Constitution.

In addition, the Area Planning Commission would not recognize any concerns expressed by the Public regarding the deficiencies and errors in, and inadequacy of, the CDP Findings made by the ZA. See Exhibit A for details of some of the concerns on the CDP Findings.

B. Violation of/Inconsistencies With Coastal Act & Venice Land Use Plan:

The project violates the Coastal Act, Chapter 3, and the development standards and policies of the Venice Land Use Plan, which is certified by the California Coastal Commission as to being in compliance with the California Coastal Act, and which is used as guidance by the Coastal Commission in determining whether a project adheres to the Chapter 3 policies of the Coastal Act.

Violations of Coastal Act Policies and Land Use Plan Policies/Development Standards (see attached Exhibit B, excerpts from the Venice Land Use Plan, for text), which represent Coastal Act Chapter 3 Sections 30244, 30250, 30251, 30242, and 30253 (as per page II-2 of the Venice LUP):

1. Page II-2 and II-3, Coastal Act Policy Section 30251 & 30253.5.

Venice is one of the most popular Communities in the world, not just the few blocks around the beach area, but the entire Community of three square miles. On page II-1 of the Venice LUP, Venice is described as "a group of identifiable neighborhoods with unique planning and coastal issues. The surrounding neighborhood where this property is located is in the North Venice Subarea, between the beach area and Abbot Kinney Blvd, and is located in the historic "Lost Canals of Venice of America" area.

2. Page II-5, Land Use Plan Policy 1.A.1.b.i, ii, and iii.

As per the intent of the plans and the applications, the three lots/2 homes are meant to be consolidated,

which is not allowed. See attached Exhibit C. Even if only 2 lots were being consolidated, this project does not comply as the building at 416 Grand does not have habitable space on the ground floor, does not have landscaping and windows fronting the street, and does not have front porches, bays or balconies.

3. Page II-10, Land Use Plan Policy 1.A.5.

The project does not preserve and protect stable multi-family residential neighborhoods, nor does it allow for the residents' quality of life to be maintained and improved. The project eliminates multi-family "affordable housing" for 6 units, or approximately 12 residents, in favor of luxury home(s)/single-family dwellings. Not only is the mass and scale and thus character of the building not compatible with the surrounding neighborhood (see Streetscape at attached Exhibit D for analysis), but taken together with other past and future similar developments, this project causes an adverse cumulative impact on this neighborhood and the Venice Community. In addition, because this owner has 6 adjacent lots on this same block, and he is developing them all within a short time of each other, this will cause an immediate and significant character change to this neighborhood, in essence a simultaneous adverse cumulative impact. In other words, in one fell swoop, one developer would completely change the character of this neighborhood. In addition, Policy 1.A.5. indicates that stable multi-family neighborhoods are to be preserved and protected, and that "the residents' quality of life can be maintained and improved" whereas in this case the residents were not only evicted but they were not informed of the Mello Act determination being performed or of their rights in that regard prior to being offered a "voluntary eviction" deal, including their right of first refusal on any new replacement units. This neighborhood and the Venice Community is rapidly losing its affordable housing and related residents, and thus its social, racial and economic character as well, which is of unlimited value. Losing affordable housing units that could have been replaced if the Mello Act was properly enforced hurts our community, and the economic and racial and social diversity of the Venice neighborhoods.

As you know, the Coastal Act requires the Commission and Staff to encourage affordable housing in the Coastal Zone--Section 30604 (f): "The Commission shall encourage housing opportunities for persons of low and moderate income;" and Section 30604 (g): "The Legislature finds and declares that it is important for the Commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the Coastal Zone." It follows from "encouraging affordable housing in the Coastal Zone" that the Commission would also discourage the loss of affordable housing in the Coastal Zone.

4. Page II-13, Land Use Plan Policy 1.A.7.d.Yards

Yards are not provided as required, in order to accommodate fire safety, open space, permeable land area and on-site recreation consistent with the existing scale and character of the neighborhood.

5. Page II-15 Land Use Plan Policy 1.A.12. Replacement Affordable Housing

The residents were not informed of the Mello Act determination being performed or of their rights in that regard prior to being offered a "voluntary eviction" deal, including their right of first refusal on any new replacement units.

6. Page II-26-27, Land Use Plan Policy 1.E.1. and 1.E.2.

As per the California Coastal Commission, due to Venice's historical character, its wide range of architecture (under the definition of architecture using Land Use Plan Policy 1.E.3., which states that varied styles of architecture are encouraged, but while at the same time maintaining the neighborhood scale and massing), its diverse population, and its expansive recreation area, "Venice, primarily a residential community beyond the beach and oceanfront boardwalk, has engendered a status as one of

the more unique coastal communities in the State, and therefore, a coastal resource to be protected (CDP 5-14-0084). Venice is known to be one of the most special and distinctive coastal communities in California, and this project would harm as opposed to protect Venice's unique and special qualities, including economic, racial and social diversity. In addition, as per the Streetscape at attached Exhibit D, the project does not respect the scale, massing and landscape of the existing surrounding residential neighborhood. The project entails a 3-lot consolidation (or even, as it is argued by the Applicant, a 2-lot consolidation), which should be restricted/not allowed for unique/special coastal communities, in order to protect the scale of the existing neighborhoods.

C. Drought/water conservation:

It must be noted that California is experiencing an extreme and unprecedented drought, and severe water conservation measures have been put into place. Under these circumstances, it would not be prudent for a California development to include a swimming pool. In addition, having a swimming pool situated inside the front gate in the way that this one is situated would likely cause the Applicant to have to request an exception from LAMC for a taller front fence/wall height, for safety and security reasons re. the swimming pool, which would result in yet another issue of incompatibility to the neighborhood for this property.

D. Sensitive Coastal Resource Area:

Venice is not only a Special Coastal Community, but due to its existing coastal housing for low- and moderate-income persons, it is also a Sensitive Coastal Resource Area, an area within the Coastal Zone of vital interest and sensitivity. See Exhibit E for information on the Venice Land Use Plan, including a summary of Venice Coastal Issues and definitions of Sensitive Coastal Resource Area and Special Coastal Community.

Lastly, on Exhibit E, page I-2, it is noted that responsibility for carrying out the provisions of the State affordable housing code rests with the local government. So even though the Coastal Commission has some control over a development via the Coastal Development Permit approval, if it is apparent that the Mello Act is not being followed and in fact is being abused and thus the City is not protecting affordable housing in the Coastal Zone, given that the Coastal Commission has a responsibility to encourage affordable housing and/or discourage the loss of affordable housing, then it should consider conditioning or denying its Coastal Development Permit until the problem is corrected by the City.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Robert Rodisell *Judith Goodman* *Cordie Williams*
Kim Michalowski *Lydia*
Signature of Appellant(s) or Authorized Agent
David Troy *Angeline* *Manny* *April 17, 2015* *Jeri Koresay* *Kevin Koresay*
Diki Goddard *Gretchen Goddard*

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date:

418-422 Grand Blvd.

CASE NO. ZA 2014-1358(CDP)

PAGE 7

Exhibit A 1 of 3

Case No. ZA 2005-6398(CDP)(ZAA)(MEL) - On February 15, 2008, the Zoning Administrator approved a coastal development permit for the construction of two, two-story over habitable basement, 3,100 square-foot single-family dwellings, and adjustments to permit 3-foot side yards at 417 East Venice Way.

Public Hearing

The public hearing was held on October 2, 2014, in the West Los Angeles Municipal Building.

Melinda Gray, Architect:

- The property is on Grand Boulevard where the Grand Canal was previously located
- There are three lots (416, 418, and 422 Grand Boulevard)
- The first house is two-stories, 1,425 square feet and has a two-car garage
- A 5,200 square-foot home will be built on two lots (418 and 422 Grand Boulevard)
- The dwellings comply with all of the setback and height requirements
- The main dwelling at 418-422 Grand Boulevard will be 2-1/2 stories with a balcony overlooking Grand Boulevard
- The house will have four bedrooms and a pool in the rear
- There are two covered parking spaces and room for a guest space
- We are incorporating sustainable design features, materials, and solar water heater for the pool and the house
- We went to the Venice Neighborhood Council the permit for 416 Grand Boulevard was approved but they ran out of time before hearing the 418-422 permit
- The VNC Board will hear it on October 21
- The duplexes were demolished on the site in April under a valid permit

Robin Rudisill, Venice Neighborhood Council:

- Tuesday the LUPC voted to support 416 Grand
- We only heard that project
- We will go before the VNC Board on October 21
- We have some Mello determination questions regarding the second project
- There was only one MND for both properties which seems to be unusual

MANDATED FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

This question was asked but not answered by the Applicant of the ZA, both of whom knew that the MND was for 1 SFD on 3 lots, which is not allowed in the Venice Coastal Zone Specific Plan or the Venice LUP

201

CASE NO. ZA 2014-1358(CDP)

PAGE 8

The subject property is a level, rectangular-shaped 4,605 square-foot, two-lot parcel in the RD1.5-1-O Zone. The property is located at 418 and 422 Grand Boulevard in the North Venice subarea of the Venice Coastal Zone Specific Plan. It is one of four adjoining vacant lots with a common property owner which were formerly developed with two 1,840 square-foot duplex buildings. The addresses of the three adjoining lots are 416 and 424 Grand Boulevard. The site is within a Methane Zone, is subject to earthquake-induced liquefaction, is within a Tsunami Inundation Zone, and is within the single permit jurisdiction area of the Coastal Zone.

The Director authorized the demolition of the buildings and the associated Mello Act clearances pursuant to DIR-2013-2903-VSO-MEL and DIR-2013-2910-VSO-MEL. The Coastal Commission issued a De Minimis Waiver for the demolition (05-13-0949). The applicant is requesting a coastal development permit to authorize the construction of a three-story 4,816 square-foot single-family dwelling with an attached 367 square-foot, two-car garage. Vehicular access is via the alley located at the southerly property line. The proposed dwelling has a varied roof and a height of 35 feet as measured from the centerline of the street. The applicant filed a concurrent coastal development permit application to construct a two-story 1,064 square-foot single-family dwelling on the adjacent lot to the west at 416 Grand Boulevard (ZA 2014-1356(CDP)). Under a separate application, a single-family dwelling is proposed at 424 Grand Boulevard (ZA 2014-3910(CDP)).

Chapter 3 of the Coastal Act contains the various policy provisions of such legislation. Pertinent to the instant request are the policies with respect to Development. Section 30250(a) states the following regarding new residential development:

...shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30253

Chapter 3 of the Coastal Act further states new development shall be located where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. Development shall be designed to protect the scenic and visual qualities of coastal areas. The property is located in a developed area of Venice that has adequate public services and is approximately 1/2-mile from the beach. The building records indicate that the duplex buildings located on the site were constructed in 1947. The proposed construction of a single-family dwelling is consistent with the site's RD1.5 zoning and with the historic use of the property. The dwelling's height, density, floor area, setbacks and parking are consistent with the LAMC and Venice Coastal Zone Specific Plan regulations. The dwelling will be constructed in conformance with the 2013 Green Building Code and the 2013 Building Code that mandate the using of energy efficient appliances; green building materials, and water conservation in new developments. Grading consists of 35 cubic yards of cut and 25 cubic yards of fill. The project will be required to comply with the City's Best Management Practices for controlling runoff during and after

The fact that these developments are located in the historic "Lost Canals" area is not mentioned in the City's Finding re. the development being in conformity with Chapter 3 of the Coastal Act re. ensuring compatibility with the existing neighborhood's character and scale.

This is a material omission.

does not mention same owner

and Coastal Act Section 30251 states "Permitted"

sited and

CASE NO. ZA 2014-1358(CDP)

PAGE 9

construction. The construction of the proposed single-family dwelling will have no adverse effects on public access, recreation, public views or the marine environment. There will be no dredging, filling or diking of coastal waters or wetlands associated with the project. As conditioned, the proposed development will be in conformity with the Coastal Act.

2. The development will/will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Coastal Commission certified the Venice Local Coastal Land Use Plan ("LUP") on June 14, 2001; however, the necessary implementation ordinances have not been adopted. The City is in the initial stages of preparing the LCP and prior to its adoption the LUP guidelines are advisory. Policy LA 2 of the LUP states: "ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development."

The property is located on a residential section of Grand Boulevard developed with single- and multi-family dwelling that are one to three stories. Over the past ten years there have been numerous two- and three-story dwellings constructed on the subject and adjacent blocks. The design, density, and scale of the proposed two-story single-family dwelling are allowed under the site's RD1.5-1-O Zone, its Low Medium Density land use designation, and with the Venice Coastal Zone Specific Plan. Approval of the single-family development will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

3. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.

The Coastal Commission's Regional Interpretive Guidelines have been reviewed and considered. The guidelines for North Venice were adopted by the Commission in 1980, prior to the adoption of the LUP and the Venice Coastal Zone Specific Plan. Following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in

What is the basis for this conclusion?

a chore? Couldn't decide? We have seen this ZA do this before

Fails to mention that the CCC allows for the LUP to provide guidance re compliance with the Coastal Act and uses it itself in its Findings.

No, it's 3 story (we have seen this ZA make this kind of mistakes before - she does by rote & does not do any analysis

Not accurate AND no facts or proof provided.

△ This Finding is inadequate and fails to show that the development will not prejudice the LCP. In order to "FIND" a lack of prejudice must show that the development is compatible (or not incompatible) with the existing neighborhood's character and scale. These 2 sentences do not show that. Our Finding shows that they are NOT compatible. This Finding only serves to homogenize the neighborhoods and exploit & undermine the process.

Exhibit B 1 of 12

Chapter II LAND USE PLAN POLICIES

POLICY GROUP I. LOCATING AND PLANNING NEW DEVELOPMENT/COASTAL VISUAL RESOURCES AND SPECIAL COMMUNITIES

INTRODUCTION

Developed as a beach resort, Venice was known as the Coney Island of the Pacific. Historically it has attracted people from all social and ethnic groups to the coast to live, work and play. While little remains of the "Venice of America" that was built by Abbot Kinney, Venice is still strongly influenced by its past. Each weekend hundreds of thousands of people are still attracted to the shore to enjoy the ambience of this coastal community. Kinney envisioned Venice to be more than a resort and today it is home to 32,270 permanent residents many of whom inhabit the small summer homes built on substandard lots along paved streets over canals. Others live on substandard lots (many are less than 3,000 square feet in area) that have been redeveloped with more substantial single-family homes and multi-unit structures. Yet Venice remains the quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing. Diversity of lifestyle, income, and culture typifies the Venice community. United by the term Venetians with all its connotative meanings, Venice is really a group of identifiable neighborhoods with unique planning and coastal issues.

As a result of prior development and changes in land use, there has emerged a blend of residential uses of various intensities, commercial uses and some minor industrial uses. Housing is located in single-family homes, multi-family dwellings, and mixed-use structures including live/work artist studios. Although many of the commercial uses are oriented to the automobile traffic, there are numerous instances of commercial uses which are more pedestrian oriented, particularly near the beach. While Venice contains traditional light industrial uses it also has a concentration of industrial structures which house artist galleries and live/work studios. Much of this unusual mixture of uses has its origin in the area's initial amusement park activities.

The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines. Lots range in size from less than 3,000 square feet near the beach to 5,000 square feet closer to Lincoln Boulevard. Few of the original canals remain. Most have been filled in and have become streets for vehicular traffic, while others are now part of the system of walk streets.

The requirements of the California Coastal Act, the historic development of the community, and the traffic study conducted for the LCP in conjunction with numerous planning workshops held in the community were among the factors considered in assigning Land Use Categories in the plan.

Venice Local Coastal Program

II-1

Lot 12

Residential land use densities in this LCP have been assigned in the Venice coastal area to reflect the year 2010 Venice population as projected by the Southern California Association of Governments (SCAG). Based on circulation and infrastructure limitations, the assigned Land Use Categories result in substantially lower build out densities than current zoning capacity. The development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass. New residential development is linked to the availability of public services and infrastructure, and in addition to traffic consideration, environmental and coastal access concerns as required by the Coastal Act.

Based upon the SCAG projections, the coastal zone within the Venice Community Plan area has a projected (year 2010) population of approximately 38,325 persons. This represents an increase of approximately 19 percent (or 6,055 persons) over the existing population of approximately 32,270 persons (as of 1990). This is based upon a constant rate of projected growth to all Los Angeles communities and assumes a projected growth which would occur if current trends remain unchanged.

Coastal Act Policies

The policy groups covered by this part of the LUP address the following Sections of the California Coastal Act, which are included as part of the Land Use Plan:

Section 30244. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Officer, reasonable mitigation measures shall be required.

Section 30250.

- a. New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
- b. Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- c. Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30251. The scenic and visual qualities of coastal areas shall be

Venice Local Coastal Program

II-2

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considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30252. The location and amount of new development should maintain and enhance public access to the coast by:

1. facilitating the provision or extension of transit service,
2. providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,
3. providing non-automobile circulation within the development,
4. providing adequate parking facilities or providing substitute means of serving the development with public transportation,
5. assuring the potential for public transit for high intensity uses such as high-rise office buildings and, by
6. assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

not being done

Section 30253. New development shall:

1. Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.
3. Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.
4. Minimize energy consumption and vehicle miles traveled.
5. Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor

Venice Local Coastal Program

11-3

4 of 12

destination points for recreational uses.

Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the services would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Section 30261 and 30262 if:

1. alternative locations are infeasible or more environmentally damaging;
2. to do otherwise would adversely affect the public welfare; and
3. adverse environmental effects are mitigated to the maximum extent feasible.

30116

LAND USE PLAN POLICIES AND IMPLEMENTATION STRATEGIES

Residential Land Use and Development Standards

Policy I. A. 1. Residential Development. The maximum densities, building heights and bulks for residential development in the Venice Coastal Zone shall be defined by the Land Use Plan Maps and Height Exhibits (Exhibits 9 through 16), and the corresponding land use categories and the development standards as described in this LUP. Refer to Policies II.C.10 for development standards for walk streets and to Policies II.A.3 and 4 for parking requirements.

a. **Roof Access Structures.** Building heights and bulks shall be controlled to preserve the nature and character of existing residential neighborhoods. Residential structures may have an enclosed stairway (roof access structure) to provide access to a roof provided that:

i. The roof access structure shall not exceed the specified flat roof height limit by more than 10 feet;

ii. The roof access structure shall be designed and oriented so as to reduce its visibility from adjacent public walkways and recreation areas;

iii. The area within the outside walls of the roof access structure shall be minimized and shall not exceed 100 square feet in area as measured from the outside walls; and,

iv. All roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of Ballona Lagoon, Venice Canals, Grand Canal and the inland side of the Esplanade (City right-of-way).

Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

b. **Residential Lot Consolidations.** In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand residential neighborhoods. No more than two lots may be consolidated in the Ballona Lagoon West, Ballona Lagoon (Grand Canal) East, Southeast Venice, Milwood, North Venice and Oxford Triangle neighborhoods and on walk streets. Lot consolidations of not more than three lots shall be permitted in the Oakwood and Marina Peninsula residential neighborhoods. Lot consolidations may be permitted only subject to the following limitations:

i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation with the exception of subterranean development that is entirely below street elevation.

ii. Building facades shall be varied and articulated to provide a

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pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street. No increase in the number of units shall result from the lot consolidation.

III. Front porches, bays and balconies shall be provided to maximize architectural variety.

Single-Family Residential

The Venice LUP recognizes the importance of the existing pedestrian scale single-family residential neighborhoods and the need to conserve them. As most communities, the greater portion of Venice was originally developed with single-family homes for both permanent residents and as temporary resort housing. Today stable single-family neighborhoods continue to exist in portions of Venice. While the standard low density, one unit per 5,000 square foot lot is common in Venice, single-family homes on lots as small as 2,500 square feet are just as common and a reminder of the community's origin as a resort town. The maintenance of the character and density of these stable single-family neighborhoods is consistent with the objectives of the State Coastal Act and the City's General Plan.

Policy I. A. 2. Preserve Stable Single-Family Residential Neighborhoods. Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development. A second residential unit or an accessory living quarter may be permitted on lots designated for single-family residence land uses, provided that the lot has a minimum lot area of 4,600 square feet in the Venice Canals subarea, or 10,000 square feet in the Silver Strand, Southeast Venice, or Oxford Triangle subareas, and all units conform to the height limit, parking requirements, and other development standards applicable to the site.

Policy I. A. 3. Single-Family Dwelling - Low Density. Accommodate the development of single-family dwelling units in areas designated as "Single-family Residential" and "Low Density" on the Venice Coastal Land Use Plan. (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and the Oxford Triangle

Use: Single-family dwelling / one unit per lot

Density: One unit per 5,000 square feet of lot area

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

FILE. No fill may be placed in the lagoon and buffer except for the minimum necessary for wetland restoration and public access.

Dupont Family Residential

It is the intent of Venice LUP to maintain existing stable multi-family residential neighborhoods. In these stable neighborhoods characterized by a mix of densities and dwelling types, potential densities may be reduced to levels consistent with the character of the entire area in order to minimize impacts on infrastructure, services, and the character of the residential quality of life. The loss of potential units in these locations can be offset by the provision of new housing opportunities via bonuses for the replacement of affordable housing and in mixed-use development.

Policy 1. A. 5. Preserve and Protect Stable Multi-Family Neighborhoods. Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services, and the residential quality of life can be maintained and improved.

Policy 1. A. 6. Multi-Family Residential - Low Medium Density. Accommodate the development of duplexes and multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium Density" on the Venice Coastal Land Use Plan (Exhibits 8 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and Milwood

Use: Two units per lot, duplexes and multi-family structures

Density: One unit per 2,500 square feet of lot area. Lots smaller than 5,000 square feet are limited to a medium density of two units per lot.

Regulation Underlying Density: Lots greater than 5,000 square feet can add extra density at the rate of one unit for each 2,000 square feet in excess of 5,000 square feet. In lot areas of five acres or more, the replacement of one unit reserved for low and very low income persons. (See LUP Policies 1.A.9 through 1.A.16).

Yards: Yards shall be required in order to accommodate the need for the safety, open space, permeable land areas for on-site participation of abatement, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 26 feet for buildings with flat roofs, or 30 feet for buildings with steeped roofs or varied rooflines. (See LUP Policy 1.A.1 and LUP Height Exhibit 13-16).

Policy 1. A. 7. Multi-Family Residential - Low Medium Density. Accommodate the development of multi-family dwelling units in the areas

See Venice Coastal Commission
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stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 35 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy LA.1 and LUP Height Exhibit 13-10).

d. Oakwood, Milwood, Southeast and North Venice

Use: Duplexes and multi-family structures.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units.

Replacement Units/Footage Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5, or one unit for each 2,000 square feet of lot area in excess of 4,000 square feet on parcels zoned RD2. If the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies LA.9 through LA.18).

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height:

Oakwood, Milwood, and Southeast Venice: Not to exceed 25 feet for buildings with flat roofs; or 30 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 25 feet in height shall be set back from the required front yard one foot for every foot in height above 25 feet. Structures located along walk streets are limited to a maximum of 28 feet. (See LUP Policy LA.1 and LUP Height Exhibit 13-16).

North Venice: Not to exceed 30 feet for buildings with flat roofs; or 35 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy LA.1 and LUP Height Exhibit 13-16).

Policy I. A. 8. Multi-Family Residential - Medium Density: Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Medium Density" on the Venice Coastal Land Use Plan (Exhibits 8 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Venice Coastal Land Use Plan

II-13

inly structures.

area. Lots smaller than density of two units per

over 4,000 square additional unit for each lot of lot area if the unit is low and very low income .16).

in flat roofs or 35 feet for them. The portion of the shall be set back one foot. Structures located in height of 28 feet. (See .16).

replacement standards for 1 the LUP.

steps. For the provisions referred to as the "Venice" parcel units occupied by 1 shall not be permitted if it of those dwelling units 1 the Venice Community Development Code (Article

being. The replacement by areas, listed in order shed structures: 2) within Venice Coastal Zone; 4) within Boulevard; and, 5)

Replacement Units. The unit replaced for each according to how far from defined in the Venice Plan.

b. Displaced residents current units.

Required replacement

9.5 ft

10.5 ft

110512

Adjacent Use/Development: The only permitted development adjacent to the canals and lagoon shall be habitat restoration, single-family dwellings, public parks and walkways, subterranean or surface public parking lots, maintenance activities and emergency repairs. Surface public parking lots shall be permitted only where sufficient access and roadway capacity exists to accommodate such parking. New construction along the Canals, and Ballona Lagoon shall comply with standards for setbacks, noise barriers, landscape plan, pervious surfacing with drainage control measures to filter storm run-off and direct it away from environmentally sensitive habitat areas, buffer areas in permanent open space, land dedication for erosion control, and wetland restoration including off-site drainage improvements. For more details refer to the provisions contained in Policy Group I.A., Residential Land Use and Development Standards, and Policies IV.C.1 and IV.C.2, Stormwater Runoff and Circulation.

Policy I. D. 2. Venice Beach. Venice Beach stretches along the coast from Navy Street on the north to the entrance channel of Marina Del Rey.

Use/Density: The beach shall be zoned Open Space and used for public recreation. There should be no further construction on the beach other than police substation, City's and County's operational and management offices, recreational and accessory facilities such as playground equipment, athletic facilities, restrooms, lifeguard stations, bikeways, related short-term bicycle parking, walkways, lighting facilities where appropriate, and necessary expansion of existing or installation of new infrastructure. Reconstruction and rehabilitation of existing facilities shall be encouraged. Development shall be sited to protect Least Tern nesting areas and other environmentally sensitive habitat areas.

Policy I. D. 3. Views of Natural and Coastal Recreation Resources. The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A. and I.B, Residential and Commercial Land Use and Development Standards of this LUP, in order to protect public views of highly scenic coastal areas and vista points, including, but not limited to, the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

Policy I. D. 4. Signs. Roof top signs and billboards are prohibited in all land use categories. Business identification signs shall comply with the height limits and development standards specified in the LUP to ensure they do not adversely affect view sheds and view corridors.

Preservation of Venice
as a Special Coastal
Community

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk,

Venice Local Coastal Program

11-26

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height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

Implementation Strategies

The LUP shall include development regulations and procedures (with respect to bulk, scale, height, setbacks, density, landscaping and types of use) to implement these policies.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

Policy I. E. 4. Redevelopment. Projects involving large-scale land acquisition and clearance shall be discouraged in favor of rehabilitation, restoration and conservation projects, especially those involving single-family dwellings.

Policy I. E. 5. Nonconforming Structures. Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:

Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

Policy I. E. 6. Constitution. This LUP/LCP is not intended, and shall not be construed, as authorizing the City to exercise its power to grant or deny a permit in a manner which will constitute an unconstitutional taking of private property for public use. This policy is not intended to increase or

Venice Local Coastal Program

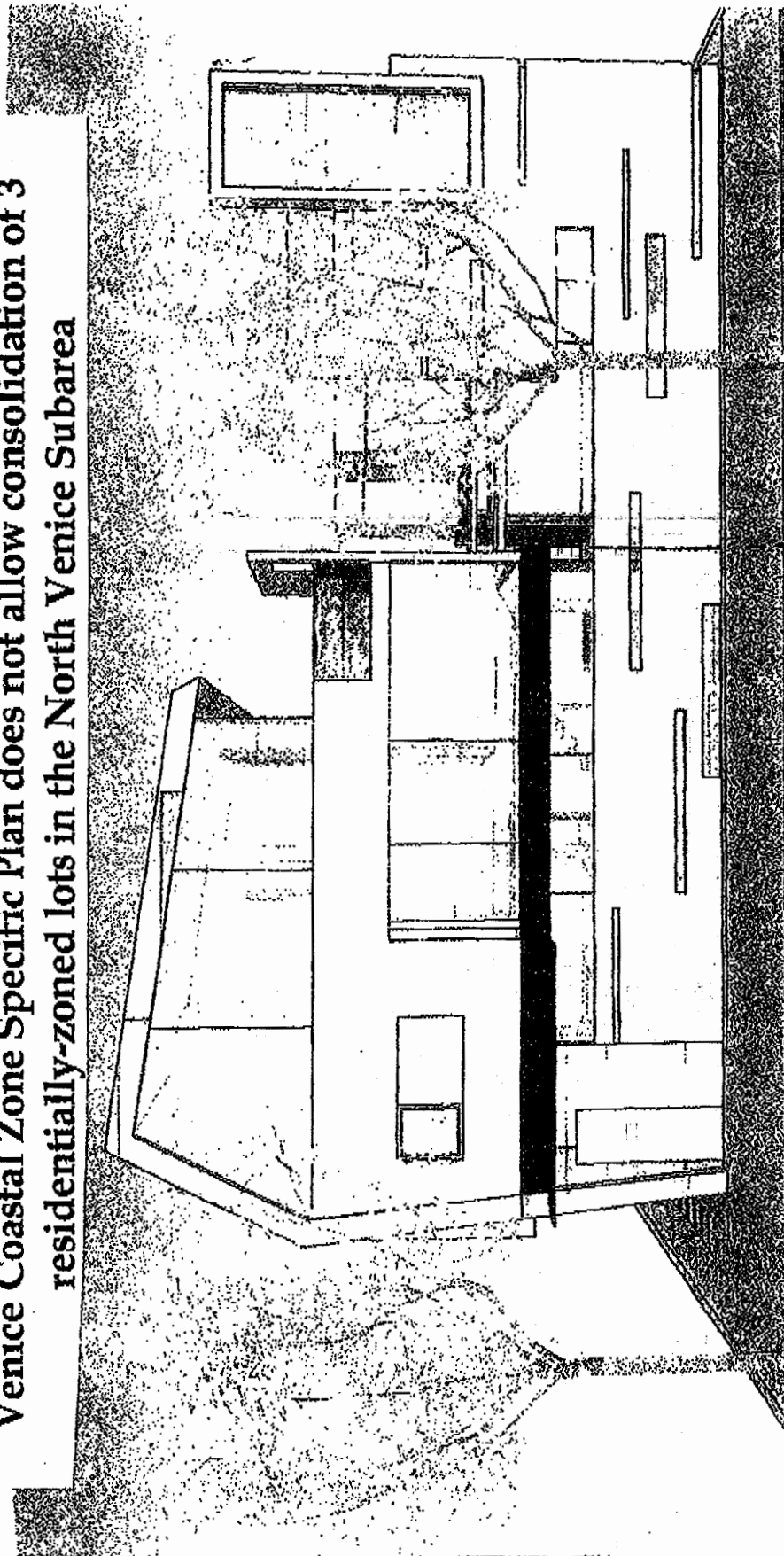
11-27

Exhibit C lot 4

Presented in CEQA File as 1 Project

ENV-2014-1357-MND

Venice Coastal Zone Specific Plan does not allow consolidation of 3
residentially-zoned lots in the North Venice Subarea



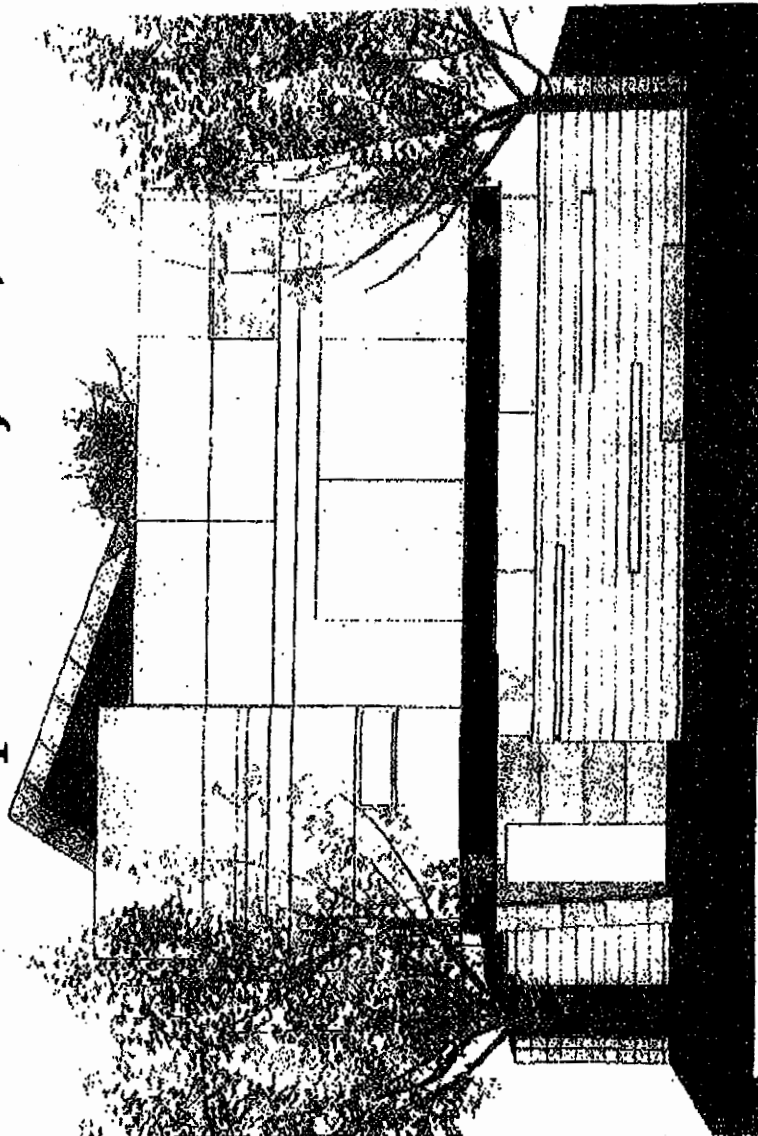
416 GRAND BLVD

418-422 GRAND BLVD

ZA 2014-1356

ZA 2014-1358

Presented to Community & LUPC/Venice
Neighborhood Council Board as 2 Distinct &
Separate Projects, With 2 Separate CDP's

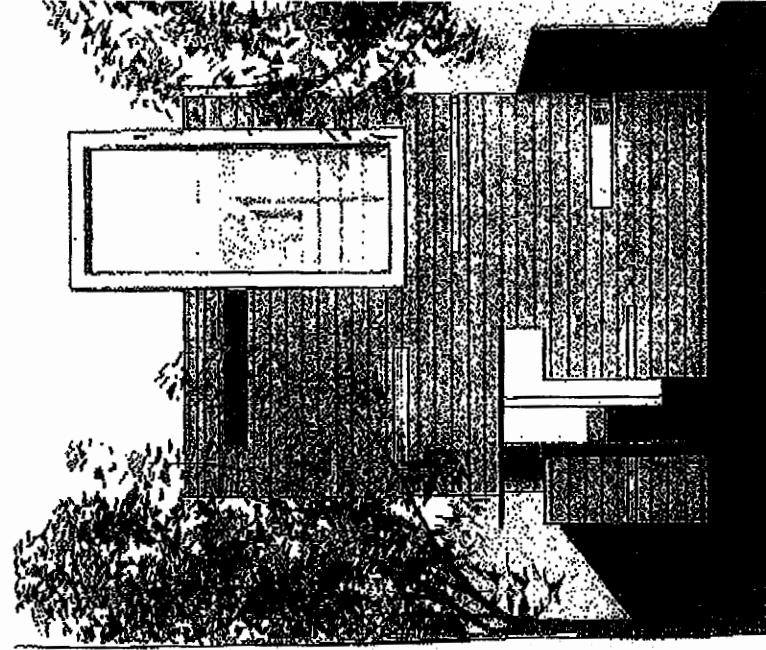


418-422 Grand Blvd: ZA-2014-1358-CDP

5,200 sq ft

35' high, 3 story

lots 7-8 -- 4,505 sq ft



416 Grand Blv: ZA-2014-1356-CDP

1,064 sq ft

30' high, 2 story

lot 6--2,252 sq ft

Set



Eric Garcetti, Mayor
Mercedes M. Márquez, General Manager

Asset Management Division
1200 West 7th Street, 8th Floor, Los Angeles, CA 90017
tel 213.808.8593
hcid@lacity.org

Date: June 27, 2013
To: Greg Shoop, City Planner
City Planning Department
From: Douglas Swoger, Director of Asset Management
Los Angeles Housing and Community Investment Department
Subject: Mello Act Determination for
416-418 & 422-424 Grand Blvd, Venice, CA 90291

Based on information provided by the owner, 416 and 418 Grand Blvd. LLC, a California limited liability company, the Los Angeles Housing and Community Investment Department (HCID) has determined that four (4) affordable units exist at 416-418 & 422-424 Grand Blvd, Venice, CA 90291.

The property consists of two (2) duplex dwellings. Each unit is composed of one (1) bedroom. Per the statement provided by the owner, 416 and 418 Grand Blvd LLC, the two duplexes will be demolished and replaced with one (1) single family dwelling spanning 3 of the 4 lots. The 4th lot will be incorporated into a future project. The owner purchased 416-418 Grand Blvd on July 30, 2012 and 422-424 Grand Blvd on August 8, 2012. A Building Permit has not been filed to date.

Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act requires that LAHD collect monthly housing cost data for at least the previous three years. The owner's Mello application statement was received by LAHD on May 28, 2013. LAHD must collect data from: May, 2010 through May, 2013.

Per the owner, Unit 416 and 418 are currently tenant occupied and Unit 422 and 424 were vacated by tenants on March 18, 2013. Monthly rent for Unit 416 is \$1,240 per month with tenancy that started on February 2012. Monthly rent for Unit 418 is \$1,146 per month with tenancy that started on July 1995 at \$750 per month. Monthly rent for Unit 422 was \$1,022 per month and monthly rent for Unit 424 was \$1,630 per month. LAHD sent the required 30-day letter to each unit, however only Unit 416 responded in disclosing their income and rent on the Request for Determination as Eligible Household Under Mello Act Regulations form.

The rental agreement provided for Unit 416 and 418 show a pattern of housing cost that is affordable. There was no rental agreement for Unit 422 and 424. Per the owner's statement, the stated rent for Unit 422 was at an affordable level and Unit 424 was above affordable. However, due to insufficient documentation for Unit 424, LAHD policy is to find it affordable.

cc: Los Angeles Housing and Community Investment Department File
416 and 418 Grand Blvd. LLC, a California limited liability company, Owner
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.

DS:VD:MAC:rl

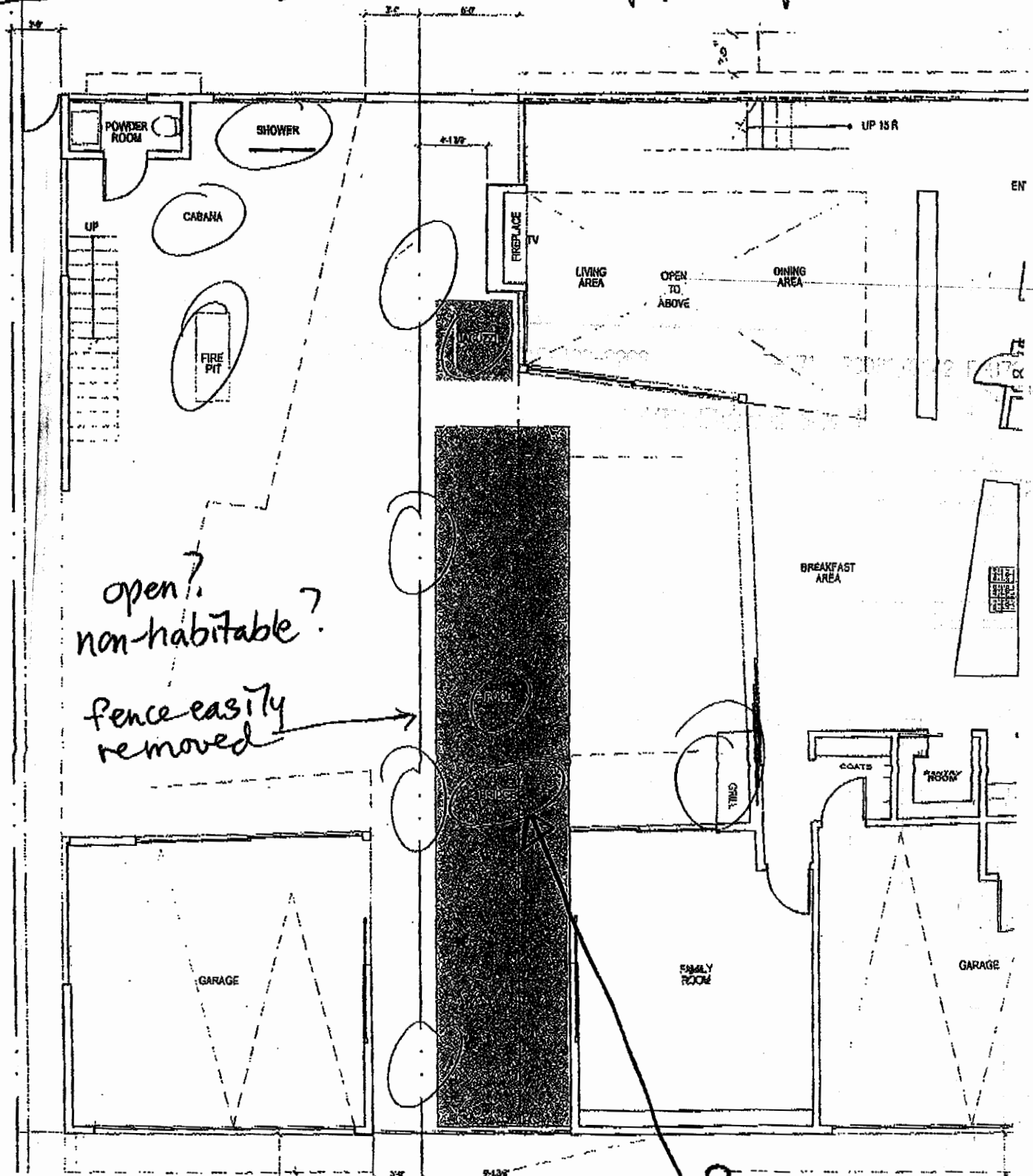
An Equal Opportunity / Affirmative Action Employer

416 Grand Blvd

418-422 Grand Blvd

4077

ground floor: windows, balconies, landscape, front porches, bays?



open?
non-habitable?

fence easily
removed

Bridge over to
neighbor's gate?

EXHIBIT U 1013

STREETSCAPE-400 BLOCK OF GRAND BLVD

ANALYSIS OF STREETSCAPE IN SURROUNDING NEIGHBORHOOD/BLOCK OF PROPOSED PROJECTS AT 416 GRAND BLVD & 418-422 GRAND BLVD

Address	# of Units	# of Stories	Roof	Style	Lot Sq. Ft.	House Sq. Ft.	House/Lot %	Year Built
PROPOSED PROJECTS:								
416 Grand (1 lot)	1	2, at max height of 30'	flat	Modern	2,252	1,425	63%	
418-422 Grand (2 lots)	1	3, at max height of 35'	varied/sloped	Modern	4,595	5,183	115%	
As per plans submitted with CEQA case ENV-2014- (337-41ND) (same MND for 416 & 418-422 Grand); & also as per info letter from L.A. Housing on 02/27/13 (per statement from Owner); re: determination of 2-affordable units, the owner plans to build 1 SFD spanning 3 lots.								
					9,757	6,608	98%	

THIS BLOCK IS PART OF THE HISTORIC "LOST CANALS" DISTRICT, and signage stating this is in process of being installed at entrance & exit of this neighborhood.

Conclusion:

The proposed projects are almost twice the mass of the average size of dwellings on the existing block/surrounding neighborhood. 98% square footage over lot size for proposed project vs. 53% average for the surrounding neighborhood. This project is materially incompatible with the existing neighborhood in terms of character, mass and scale.

Grand, South Side of Block (even #'d addresses)

Address	# of Units	# of Stories	Roof	Style	Lot Sq. Ft.	House Sq. Ft.	House/Lot %	Year Built
400	1	3	Flat	Modern/Under Construction	2,252	Not available	136%	2015 in progress
406	1	3	Flat	Modern	2,252	3,100	138%	2014
408-410-414 (3 lots)	3	2	Peak	Stucco	6,375	3,392	53%	1947 ZIMAN SIX ADJACENT LOTS WITH SAME OWNER, RALPH
416-418 (2 lots)	2	1	Peak x2	has been demoed	4,504	1,473	33%	application filed 4/10/14 by Ralph Ziman for 416 Grand application filed 4/10/14 by Ralph Ziman for 418-422 Grand, 1002/174 for 21-14 by Ralph Ziman
422-424 (2 lots)	2	1	Peak x2	has been demoed	4,505	1,473	33%	1947-424 Grand application filed 10-21-14 by Ralph Ziman
426-428 (2 lots)	2	1	Peak x2	Stucco To Be Demolished	4,506	1,473	33%	1947 Ziman
430	1	3	Peak	Stucco	2,253	855	38%	1953
434	1	3	Flat/Deck	Modern/Brick	2,253	2,525	112%	1953
1803 Archuleta (2 lots)	2	1-story front unit, 2-story back unit	Slope	Under Construction or Renovation	4,506	1,473	33%	1947
400 Block of Grand Blvd (south side)								
		% of 1 stories	60%			Subtotal Lot Sq. Ft.		31,083
		% of 2 stories	20%			Subtotal House Sq. Ft.		15,735
		% of 3 stories	20%			Average (mean)		59%
						Average		51%

Grand, North Side of Block (odd #'d addresses)

Address	# of Units	# of Stories	Roof	Style	Lot Sq. Ft.	House Sq. Ft.	House/Lot %	Year Built
405 Grand, 1612 Riviera	1	2	Flat/Deck	New/Stucco/Box	2,563	2,536	31%	1936
411	1	2	Flat/Deck	New/Stucco/Box	2,611	2,746	40%	1936
415	1	1-story front unit, 2-story back unit	Peak Front, Flat Back	Stucco	2,701	2,280	85%	1923 large for 1923
419	1	1	Peak	1920 Stucco	2,701	1,388	51%	1922
421A, 421B, 421C	3	3	Peak	CA Cottage	2,701	1,065	41%	1923
423, 423 1/2	2	2	Slope	New Brick	2,701	1,674	62%	1923
425	1	1	Slope	Craftsman	2,701	177	26%	1916
427	1	2	Slope	Stucco	2,701	1,141	42%	1940
429	1	1	Slope	Stucco	2,701	856	32%	1912
431 & 431 1/2	2	1	Slope	CA Cottage	2,701	1,227	45%	1923
433 & 433 1/2	2	1	Slope	Craftsman	2,701	1,143	42%	1923
435	1	2	Flat/Deck	Wood Siding	2,701	1,525	56%	1933
439	1	1	Peak	Stucco	2,701	1,108	41%	1922
443A, B, C	3	1	Peak	Craftsman	2,701	1,331	49%	1917, 1922
447 Grand (1715 & 1717)	1	1	Slope	CA Cottage	2,701	1,293	48%	1922
400 Block of Grand Blvd (north side)								
		% of 1 stories	53%			Total Lot Sq. Ft.		40,358
		% of 2 stories	27%			Total House Sq. Ft.		31,150
		% of 3 stories	10%			Average (mean)		57%
						Average		53%

2015

VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)

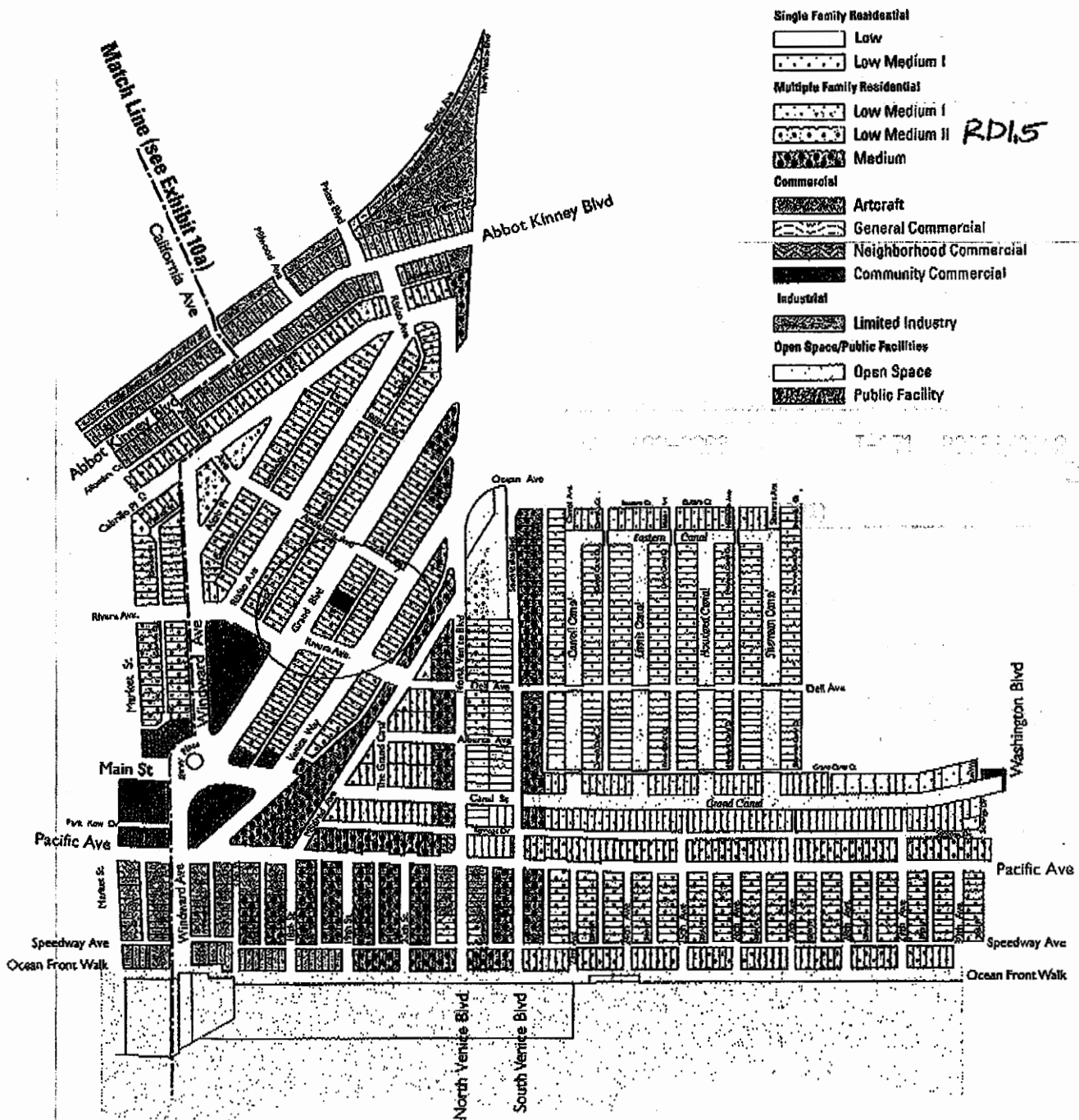
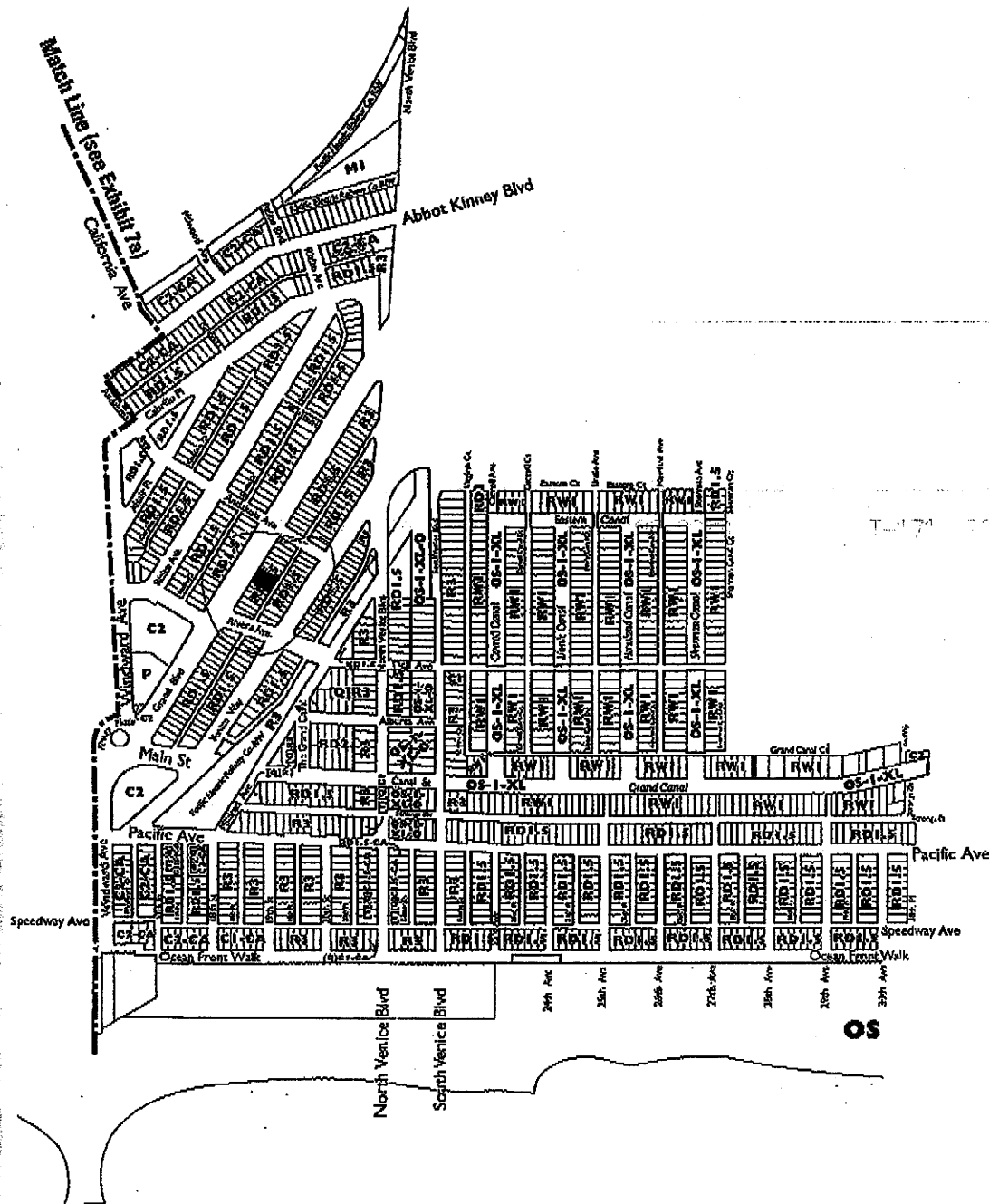


Exhibit 10b

Land Use Plan (Map): North Venice • Venice Canals



3 of 5



**Exhibit 7b
Existing Zoning
Subarea: North Venice • Venice Canals**



4085

HISTORY | LA AS SUBJECT

The Lost Canals of Venice of America

by Nathan Masters

April 5, 2013 9:11 AM

SHARE



Tweet

146

+1

13

Like

8.8k




Algodolier rows through one of Venice of America's original canals, now a paved roadway. Courtesy of the Los Angeles Public Library Photo Collection.

The picturesque canals of Venice, California, are one of the seaside community's hidden charms, secreted away from the hustle and bustle of the famous boardwalk. But in Venice's early years, the canals that survive today -- restored in the 1990s after decades of neglect -- were only a sideshow. The main attraction -- the original canals of Abbot Kinney's Venice of America -- are lost to history, long ago filled in and now disguised as residential streets.

5045

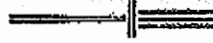


Abbot Kinney's original plan for Venice of America. All the canals pictured here are now paved roads. Courtesy of the Los Angeles Public Library Map Collection.




OCEAN PARK

VENICE CANAL SUBDIVISION




Terms
Reasonable



THIS BEAUTIFUL CANAL
Is the Connecting Link between Abbot Kinney's Venice on the North and
Pier 21st Bay on the South.

Cheapest Lots on the Market
Suitable Building Restrictions



STRONG & DICKINSON
330 SOUTH BROADWAY, LOS ANGELES
915 Venice 1175

Robert Marsh & Co.
300 W. W. Hoffman Building
Sole Phone 6643 Los Angeles

A 1910 advertisement for the Venice Canal Subdivision, which encompassed the canals that survive to this day. Courtesy of the Library of Congress.

The original Venice of America canals helped make Kinney's real estate development a success. Lots fronting the canals became a favorite choice for owners of the local amusement concerns or out-of-town tourists looking for a place to pitch a summer cottage. But by the 1920s, the canals had become seen as an obstacle to progress. Many visitors were now arriving by automobile, but Venice offered scarce parking, and its streets were designed for pedestrians, not motorcars. In the eyes of business owners and city leaders, the canals looked like an opportunity to open up their community to the automobile.

In 1924, the city of Venice -- then still an independent municipality -- resolved to adapt its transportation infrastructure for the automobile age. The two Pacific Electric trolleyways running through the city would be widened and paved -- today they're appropriately named Pacific and Electric avenues -- and the canals would be filled in and converted into public roads.

Residents resisted the move. Those who lived along the canals worried that their homes would lose their waterfront appeal, and many in the community questioned the logic of a city with the name of Venice but no canals. Most importantly, property owners rebelled against a special assessment that would be levied on their holdings to finance the conversion.

Exhibit E 1076

VENICE

Local Coastal Program

LAND USE PLAN

Chapter I

INTRODUCTION

THE COASTAL ACT

This plan has been prepared to comply with the California Coastal Act of 1976. The Coastal Act directs each local government lying wholly or partly within the Coastal Zone to prepare a Local Coastal Program (LCP) for those areas located in the State's designated Coastal Zone. The Venice Coastal Zone is the area generally bounded by Marine Street on the north, the City-County boundary, Washington Boulevard and Via Marina on the south, Lincoln Boulevard and Via Dolce on the east, and the Pacific Ocean on the west (see Exhibit 1, Vicinity Map and Exhibit 2, Venice Coastal Zone Map).

ORGANIZATION OF THE VENICE LOCAL COASTAL PROGRAM

The Local Coastal Program (LCP) consists of a local government's land use plans, zoning ordinances, zoning district maps, and other implementing actions which implement the provisions and policies of the California Coastal Act at the local level. The LCP contains a Land Use Plan (LUP) and a Local Implementation Plan (LIP).

The LUP consists of LCP Chapters 1 and 2, the maps entitled "Venice Coastal Land Use Plan Maps", and Exhibits 1 through 23 with the emphasis placed upon establishing plan goals and defining policy. It indicates the "kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions."

The LIP will consist of LCP Chapter 3 and will contain the regulatory controls and incentives for the systematic implementation of the LUP. The LIP will be comprised of a specific plan and related implementing ordinances and zoning map. The LIP will implement the certified LUP with specific zoning designations and development standards for all uses within the Venice Coastal Zone.

VENICE LOCAL COASTAL PROGRAM

I-1

2076

SUMMARY OF COASTAL ISSUES

Chapter 3 of the California Coastal Act outlines the following 14 policy groups which must be addressed, if applicable, in the LCP.

1. Shoreline Access
2. Recreation and Visitor-Serving Facilities
3. Housing
4. Water and Marine Resources
5. Diking, Dredging, Filling and Shoreline Structures
6. Commercial Fishing and Recreational Boating
7. Environmentally Sensitive Habitat Areas
8. Agriculture
9. Hazards
10. Forestry and Soils Resources
11. Locating and Planning New Development
12. Coastal Visual Resources and Special Communities
13. Public Works
14. Industrial and Energy Development

The City and California Coastal Commission seek the widest possible public input to identify local coastal issues. To this end, the Department of City Planning has had an ongoing program of citizen involvement. Starting in 1978 seven public meetings were held in both coastal and inland communities. The 14 policy groups were distributed at the meetings to inform the public of the general scope of the coastal issues. In addition, federal, state and local agencies were contacted for their input. City staff and Coastal Commission staff held several subsequent meetings to determine which of the 14 California Coastal Act policies applied in Venice, to identify the extent to which existing plans met Coastal Act requirements, and to delineate any potential conflicts between existing plans, development proposals and the policies of the Coastal Act. The resulting local issues were translated into a Work Program, which was approved in 1979 by the City and the California Coastal Commission. The Work Program issues are outlined in Exhibit 3. Coastal policy groups which were considered inapplicable to the Venice Coastal Zone are Commercial Fishing, Agriculture, Forestry and Soils, and Energy Development.

Since 1979, the Coastal Act has been amended to remove the policies that related to the protection of affordable housing in the coastal zone. The responsibility for carrying out the provisions of Government Code Section 65915 (Affordable Housing) now rests with local government.

VENICE LOCAL COASTAL PROGRAM

I-2

EXHIBIT 3

SUMMARY OF VENICE COASTAL ISSUES

Locating and Planning New Development

Residential Land Use and Development

- * • Preservation of existing housing stock, and discouragement of conversion of residential uses to commercial use where appropriate.
- Provision of very low, low, and moderate income housing for a cross-section of the population, including persons with special needs.
- Illegal conversion of residential uses to commercial uses and illegal provision of residential uses.
- Enforcement and regulation of encroachments into public rights-of-way.

Commercial Land Use and Development

- Encouragement of coastal development, recreation, neighborhood- and visitor-serving facilities.
- * • Regulation of development which is out of scale with existing community character.
- Regulation of open-air vendors along Ocean Front Walk.
- Over-development of the Coastal Zone resulting in traffic congestion.
- Over-intensification of commercial uses.

Industrial and Railroad Rights-of-Way Land Use and Development

- Preservation of the existing industrial land use base and employment opportunities.
- Regulation of the location and types of non-coastal-dependent industrial uses.
- Appropriate use of railroad rights-of-way.

Development within Natural and Recreational Resource Areas/ Protection of Views

- Protection of existing natural and recreational resources, including the Venice Canals, Ballona Lagoon, Grand Canal south of Washington Boulevard, and Venice Beach.
- Protection of coastal views and vistas.

VENICE LOCAL COASTAL PROGRAM

1-3

7076

*** Preservation of Venice as a Special Coastal Community**

• Preservation of community character, scale and architectural diversity.

• Development of appropriate height, density, buffer and setback standards.

• Development of a landscape plan.

Preservation of Cultural Resources

• Preservation and restoration, where feasible and necessary, of historical landmarks.

• Designation of historical sites as historic-cultural monuments.

• Preservation of significant archeological sites.

Shoreline Access

Parking

- Conflict between residential and beach visitor parking.
- Inadequate signage of available parking for beach visitors on weekends resulting in added traffic congestion.
- Inadequate parking provided by non-conforming uses.
- Inadequate off-street parking near or on the beach frontage for visitors and residents.
- Intrusion of non-resident vehicles on residential streets to locate available parking spaces.
- Preventing polluted stormwater runoff from parking lots from entering the Venice Canals and Ballona Lagoon.

Alternate Transit and Traffic Management

- Lack of adequate alternate public transportation systems, including shuttle systems; park and ride facilities; (bikeways;) and public bus services.
- Lack of an adequate traffic management program to facilitate coastal access to and within the Venice Coastal Zone.

Pedestrian and Bicycle Access

- Inadequate access to walkways due to lack of adequate parking facilities.
- Walk streets are often illegally used as private driveways and parking.
- Open areas in activity nodes and special districts are often completely surfaced with asphalt and concrete without provisions for pedestrian

VENICE LOCAL COASTAL PROGRAM

I-4

SOT

relief from the sun's heat and reflected glare. Resting places or other people-oriented accommodations are seldom provided.



The eastern sidewalk of Pacific Avenue from Via Marina to Jib Street and the western sidewalk of Pacific Avenue from Driftwood Avenue to Mildred Street is unimproved and cannot be used for public pedestrian uses due to encroachments on public right-of-way and requirements for buffers for habitat protection.

- Lack of pedestrian walkways along the banks of the Venice Canals where the deteriorated sidewalks have been withdrawn from public use,* and along the banks of the Ballona Lagoon.
- Lack of bicycle routes to complement existing and future transportation modes.
- Inadequate maintenance of walkways and bikeways.
- Lack of convenient and secure bicycle (parking/storage) facilities provided at public buildings, retail uses, parks and multiple family housing developments.



Inadequate handicap access (e.g. vertical ramps) to the beach.

Recreation and Visitor-Serving Facilities

- Inadequate public support facilities, such as bike racks and storage lockers, public restrooms, outdoor eating areas, trash cans, recycling bins, etc.
- Inadequate visitor facilities on or near the Peninsula south of Washington Boulevard.
- Utilization of vacant, publicly owned lots on the Peninsula for recreational purposes.
- Identification, preservation and enhancement of existing recreational and visitor serving facilities, both private and public (including water faucets and restrooms).
- Inadequate recreational opportunities and pedestrian amenities, such as walkways, bikeways, walk street improvements, open space and viewing areas.
- Inadequate maintenance of public recreational facilities.

Water and Marine Resources, Environmentally Sensitive Habitat Areas

- Enhancement and maintenance of habitat value, including foraging habitat for the Least Tern, an endangered species.
- Invasion of non-native plant species along the banks of the Venice Canals, Ballona Lagoon and in the Intertidal habitat zone.
- Regulation of surface runoff into the canals and the provision of adequate drainage.*

VENICE LYON COASTAL PROGRAM

1-5

6056

removed or replaced.

Replacement Unit: Any affordable housing unit to be provided as replacement for an existing unit on a project site.

Replacement Parking: Any parking space to be provided as replacement for an existing parking space on a project site.

Roof Access Structure: An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.

Sensitive Coastal Resource Areas: Those identifiable land and water areas within the Coastal Zone of vital interest and sensitivity, including the following:

- to be protected*
- a. Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the Coastal Plan.
 - b. Areas possessing significant recreational value.
 - c. Highly scenic areas.
 - d. Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
 - e. Special communities or neighborhoods which are significant visitor destination areas.
 - f. Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
 - g. Areas where divisions of land could substantially impair or restrict coastal access.

Service Floor: All areas where the customer can be served, except the bathroom, including the indoor and outdoor dining area, bar, waiting room and tavern.

Seven-Foot Contour: The mean sea level as defined by the U.S. Geological survey.

Silver-Strand Lagoon Buffer Strip: The strip of land (lagoon buffer) immediately adjacent to the Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77, Permit Amendment No. A-266-77, and Appeal No. A-266-77.

Special Coastal Community: An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the

VENICE LOCAL COASTAL PROGRAM

I-16

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT****SECTION I. Appellant(s)**

Name, mailing address and telephone number of appellant(s):

Coastal Commission Executive Director, Charles Lester
South Coast District
200 Oceangate, Suite 1000
Long Beach, CA 90802 (562) 590-5071

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Los Angeles
2. Brief description of development being appealed: Construction of a two-story, 30 foot high, 1,064 square foot single family residence
3. Development's location: 416 Grand Blvd., Venice, City of Los Angeles, Los Angeles County
4. Description of decision being appealed: City of Los Angeles Coastal Development Permit No. ZA-2014-1356-CDP-1A
 - a. Approval; no special conditions: _____
 - b. Approval with special conditions: X
 - c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-5-VEN-15-0027

DATE FILED: April 17, 2015

DISTRICT: South Coast

5. Decision being appealed was made by (check one):
- a. Planning Director/Zoning Administrator: _____
 - b. City Council/Board of Supervisors: _____
 - c. Planning Commission: XX
 - d. Other: _____
6. Date of local government's decision: March 17, 2015
7. Local government's file number: City of Los Angeles Coastal Development Permit No. ZA-2014-1356-CDP-1A

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties.
(Use additional paper as necessary.)

1. Name and mailing address of permit applicant:
- 416 Grand Boulevard, LLC, Attn: Rosario Perry
1880 Century Park East, Suite 200
Los Angeles, CA 90067
2. Name and mailing address of permit applicant's agent:
- Gray Matter Architecture
639 East Channel Road
Santa Monica, CA 90402
3. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
- Robin Rudisill, Angelina Meany, David Troy Smith, and six others
3003 Ocean Front Walk
Venice, Los Angeles CA 90291

SECTION IV. Reasons Supporting This Appeal

The City approved development may not be consistent with the Chapter 3 policies of the Coastal Act regarding biological productivity/water quality, community character, and minimization of adverse impacts to coastal resources. Additionally, the City approved development may not be consistent with certified Venice Land Use Plan policies regarding residential lot consolidations. The City's action to approve the structure could prejudice its ability to develop a certified Local Coastal Program.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The City approved development may not be consistent with Section 30231 of the Coastal Act because the site plan does not call out on-site drainage devices and the special conditions of the approved permit do not provide for construction best management practices to prevent discharge of construction debris into coastal waters. Additionally, the approved landscape plans may or may not include drought tolerant non-invasive species and associated irrigation control and drainage devices to minimize water use and preserve water quality.

Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall...be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality in visually degraded areas.

Section 30253 of the Coastal Act states in part:

New development shall...

- d) minimize energy consumption and vehicle miles traveled*
- e) where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The approved development may not be consistent with Sections 30251 and 30253 of the Coastal Act because it is associated with another City approved development next door subject to appeal A-5-VEN-15-0026, which would be 4,816 square feet and is being developed by the same property owner and architect, with design standards that suggest the two properties are to be operated as one combined compound that might not be compatible with structures on the surrounding block or the community character of the North Venice subarea.

Page 2-17 of the certified Venice Land Use Plan contains a Development Standard for Residential Lot Consolidations. Subsection b states, in part:

In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand Residential Neighborhoods. No more than two lots may be consolidated in...North Venice. Lot consolidations may be permitted only subject to the following limitations:


- i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation...*
- ii. Building facades shall be varied and articulated to provide a pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street...*
- iii. Front porches, bays, and balconies shall be provided to maximize architectural variety.*

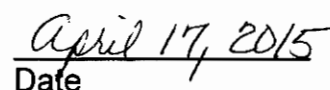
The City approved development may not be consistent with these standards because the single family residence is being developed by the same property owner and architect (and was approved under the same City hearing) as the adjacent development next door (418-422 Grand Blvd, two consolidated lots subject to related appeal A-5-VEN-15-0026). The two properties share a common design, which does not appear to be articulated and does not appear to be consistent with the mass and scale of neighboring structures .

Finally, an approximately nine foot high solid wall appears to wrap around not only the structure approved by the City subject to City of Los Angeles Coastal Development Permit No. ZA-2014-1356-CDP-1A, but also the adjacent development next door (418-422 Grand Blvd, subject to related appeal A-5-VEN-15-0026). The wall would be higher than allowed by the City of LA zoning code and would not be consistent with the character of the area. Cumulatively, the City's actions to approve Coastal Development Permit No. ZA-2014-1356-CDP-1A and the adjacent development next door could prejudice its ability to develop a certified Local Coastal Program.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.


Signature of Appellant(s) or Authorized Agent


Date

5-VEN-15-0013

RECEIVED
South Coast Region

EDMUND G. BROWN JR., Governor

STATE OF CALIFORNIA - THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4416
VOICE (562) 590-5071 FAX (562) 591-5084

APR 17 2015

CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I Appellant(s)

Name: Robin Rudisill, as an individual and not on behalf of the VNC or LUPC, et al

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: CA

Phone: 90291

SECTION II. Decision Being Appealed

* See attached

1. Name of local/port government:

L.A.

2. Brief description of development being appealed:

416 Grand--demo existing duplex and construct [1 of 2] new 1,171 sq ft SFD with attached 2-car garage

3. Development's location (street address, assessor's parcel no., cross street, etc.):

416 Grand Blvd, cross street Riviera Ave, APN: 423-802-0004

4. Description of decision being appealed (check one.):

- ☐ Approval; no special conditions
- ☒ Approval with special conditions:
- ☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-5-Ven-15-0027

DATE FILED:

DISTRICT:

Embassy Suites Hotel 415-499-9268

T-171 P0009/0042 F-871

* Appellants
416 Grand Blvd
Appeal 4-17-15

Robin Rudisill
Angelina Meany
David Troy Smith
Kevin Keresey
Terry Keresey
Dr. Judith Goldman
Lydia Ponce
Laddie Williams
Kim Michalowski

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☐ City Council/Board of Supervisors
- ☒ Planning Commission
- ☐ Other

6. Date of local government's decision: MARCH 17, 20157. Local government's file number (if any): ZA-2014-1356-CDP-1A & related MND**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Rosario Perry, 416 Grand Blvd, LLC, 1880 Century Park East Suite 200, L.A., CA 90067
 Melinda Gray, Gray Matter Architecture, 639 East Channel Road, Santa Monica, CA 90402

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**SECTION IV. Reasons Supporting This Appeal****PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

REASONS/GROUNDS:**A. Due Process:**

The recent Appeal decision for this case by the West L.A. Area Planning Commission did not represent "due process," as the City Attorney constantly interfered with the Commission's deliberations, steering them away from any indications that they might be supportive of the Appeals, and including continuing the original hearing and giving no answer when asked why by the Appellants, and including coming up with the Motion when the Commissioners were confused, and including combining the two CDP decisions into one Motion, among many other details which are summarized in the audio transcript of the meeting. Thus, many do not believe that the City Appeal was a fair hearing/due process and thus the appeal still deserves an appeal review that is done fairly and according to the "due process" afforded to all U.S. citizens under the Constitution.

In addition, the Area Planning Commission would not recognize any concerns expressed by the Public regarding the deficiencies and errors in, and inadequacy of, the CDP Findings made by the ZA. See Exhibit A for details of some of the concerns on the CDP Findings.

B. Violation of/Inconsistencies With Coastal Act & Venice Land Use Plan:

The project violates the Coastal Act, Chapter 3, and the development standards and policies of the Venice Land Use Plan, which is certified by the California Coastal Commission as to being in compliance with the California Coastal Act, and which is used as guidance by the Coastal Commission in determining whether a project adheres to the Chapter 3 policies of the Coastal Act.

Violations of Coastal Act Policies and Land Use Plan Policies/Development Standards (see attached Exhibit B, excerpts from the Venice Land Use Plan, for text), which represent Coastal Act Chapter 3 Sections 30244, 30250, 30251, 30242, and 30253 (as per page II-2 of the Venice LUP):

1. Page II-2 and II-3, Coastal Act Policy Section 30251 & 30253.5.

Venice is one of the most popular Communities in the world, not just the few blocks around the beach area, but the entire Community of three square miles. On page II-1 of the Venice LUP, Venice is described as "a group of identifiable neighborhoods with unique planning and coastal issues. The surrounding neighborhood where this property is located is in the North Venice Subarea, between the beach area and Abbot Kinney Blvd, and is located in the historic "Lost Canals of Venice of America" area.

2. Page II-5, Land Use Plan Policy 1.A.1.b.i, ii, and iii.

As per the intent of the plans and the applications, the three lots/2 homes are meant to be consolidated,

which is not allowed. See attached Exhibit C. Even if only 2 lots were being consolidated, this project does not comply as the building at 416 Grand does not have habitable space on the ground floor, does not have landscaping and windows fronting the street, and does not have front porches, bays or balconies.

3. Page II-10, Land Use Plan Policy 1.A.5.

The project does not preserve and protect stable multi-family residential neighborhoods, nor does it allow for the residents' quality of life to be maintained and improved. The project eliminates multi-family "affordable housing" for 6 units, or approximately 12 residents, in favor of luxury home(s)/single-family dwellings. Not only is the mass and scale and thus character of the building not compatible with the surrounding neighborhood (see Streetscape at attached Exhibit D for analysis), but taken together with other past and future similar developments, this project causes an adverse cumulative impact on this neighborhood and the Venice Community. In addition, because this owner has 6 adjacent lots on this same block, and he is developing them all within a short time of each other, this will cause an immediate and significant character change to this neighborhood, in essence a simultaneous adverse cumulative impact. In other words, in one fell swoop, one developer would completely change the character of this neighborhood. In addition, Policy 1.A.5. indicates that stable multi-family neighborhoods are to be preserved and protected, and that "the residents' quality of life can be maintained and improved" whereas in this case the residents were not only evicted but they were not informed of the Mello Act determination being performed or of their rights in that regard prior to being offered a "voluntary eviction" deal, including their right of first refusal on any new replacement units. This neighborhood and the Venice Community is rapidly losing its affordable housing and related residents, and thus its social, racial and economic character as well, which is of unlimited value. Losing affordable housing units that could have been replaced if the Mello Act was properly enforced hurts our community, and the economic and racial and social diversity of the Venice neighborhoods.

As you know, the Coastal Act requires the Commission and Staff to encourage affordable housing in the Coastal Zone--Section 30604 (f): "The Commission shall encourage housing opportunities for persons of low and moderate income;" and Section 30604 (g): "The Legislature finds and declares that it is important for the Commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the Coastal Zone." It follows from "encouraging affordable housing in the Coastal Zone" that the Commission would also discourage the loss of affordable housing in the Coastal Zone.

4. Page II-13, Land Use Plan Policy 1.A.7.d.Yards

Yards are not provided as required, in order to accommodate fire safety, open space, permeable land area and on-site recreation consistent with the existing scale and character of the neighborhood.

5. Page II-15 Land Use Plan Policy 1.A.12. Replacement Affordable Housing

The residents were not informed of the Mello Act determination being performed or of their rights in that regard prior to being offered a "voluntary eviction" deal, including their right of first refusal on any new replacement units.

6. Page II-26-27, Land Use Plan Policy 1.E.1. and 1.E.2.

As per the California Coastal Commission, due to Venice's historical character, its wide range of architecture (under the definition of architecture using Land Use Plan Policy 1.E.3., which states that varied styles of architecture are encouraged, but while at the same time maintaining the neighborhood scale and massing), its diverse population, and its expansive recreation area, "Venice, primarily a residential community beyond the beach and oceanfront boardwalk, has engendered a status as one of

the more unique coastal communities in the State, and therefore, a coastal resource to be protected (CDP 5-14-0084). Venice is known to be one of the most special and distinctive coastal communities in California, and this project would harm as opposed to protect Venice's unique and special qualities, including economic, racial and social diversity. In addition, as per the Streetscape at attached Exhibit D, the project does not respect the scale, massing and landscape of the existing surrounding residential neighborhood. The project entails a 3-lot consolidation (or even, as it is argued by the Applicant, a 2-lot consolidation), which should be restricted/not allowed for unique/special coastal communities, in order to protect the scale of the existing neighborhoods.

C. Drought/water conservation:

It must be noted that California is experiencing an extreme and unprecedented drought, and severe water conservation measures have been put into place. Under these circumstances, it would not be prudent for a California development to include a swimming pool. In addition, having a swimming pool situated inside the front gate in the way that this one is situated would likely cause the Applicant to have to request an exception from LAMC for a taller front fence/wall height, for safety and security reasons re. the swimming pool, which would result in yet another issue of incompatibility to the neighborhood for this property.

D. Sensitive Coastal Resource Area:

Venice is not only a Special Coastal Community, but due to its existing coastal housing for low- and moderate-income persons, it is also a Sensitive Coastal Resource Area, an area within the Coastal Zone of vital interest and sensitivity. See Exhibit E for information on the Venice Land Use Plan, including a summary of Venice Coastal Issues and definitions of Sensitive Coastal Resource Area and Special Coastal Community.

Lastly, on Exhibit E, page I-2, it is noted that responsibility for carrying out the provisions of the State affordable housing code rests with the local government. So even though the Coastal Commission has some control over a development via the Coastal Development Permit approval, if it is apparent that the Mello Act is not being followed and in fact is being abused and thus the City is not protecting affordable housing in the Coastal Zone, given that the Coastal Commission has a responsibility to encourage affordable housing and/or discourage the loss of affordable housing, then it should consider conditioning or denying its Coastal Development Permit until the problem is corrected by the City.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Robert J. D'Isella *Judith Goldman* *Laddie Williams*
Kim Michalowski *Lydia Ponce*
 Signature of Appellant(s) or Authorized Agent
David Troy *Angelina Meang* *Toni Kresney* *Kevin Kresney*
 Date: April 17, 2015

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
 authorize

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date:

418-422 Grand Blvd.

CASE NO. ZA 2014-1358(CDP)

PAGE 7

Exhibit A 1 of 3

Case No. ZA 2005-6398(CDP)(ZAA)(MEL) - On February 15, 2006, the Zoning Administrator approved a coastal development permit for the construction of two, two-story over habitable basement, 3,100 square-foot single-family dwellings, and adjustments to permit 3-foot side yards at 417 East Venice Way.

Public Hearing

The public hearing was held on October 2, 2014, in the West Los Angeles Municipal Building.

Melinda Gray, Architect:

- The property is on Grand Boulevard where the Grand Canal was previously located
- There are three lots (416, 418, and 422 Grand Boulevard)
- The first house is two-stories, 1,425 square feet and has a two-car garage
- A 5,200 square-foot home will be built on two lots (418 and 422 Grand Boulevard)
- The dwellings comply with all of the setback and height requirements
- The main dwelling at 418-422 Grand Boulevard will be 2-1/2 stories with a balcony overlooking Grand Boulevard
- The house will have four bedrooms and a pool in the rear
- There are two covered parking spaces and room for a guest space
- We are incorporating sustainable design features, materials, and solar water heater for the pool and the house
- We went to the Venice Neighborhood Council the permit for 416 Grand Boulevard was approved but they ran out of time before hearing the 418-422 permit
- The VNC Board will hear it on October 21.
- The duplexes were demolished on the site in April under a valid permit

Robin Rudisill, Venice Neighborhood Council:

- Tuesday the LUPC voted to support 416 Grand
- We only heard that project
- We will go before the VNC Board on October 21
- We have some Mello determination questions regarding the second project
- There was only one MND for both properties which seems to be unusual

MANDATED FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

This question was asked but not answered by the Applicant or the ZA, both of whom knew that the MND was for 1 SFD on 3 lots, which is not allowed in the Venice Coastal Zone Specific Plan or the Venice LUP.

2 of 3

CASE NO. ZA 2014-1358(CDP)

PAGE 8

The subject property is a level, rectangular-shaped 4,605 square-foot, two-lot parcel in the RD1.5-1-O Zone. The property is located at 418 and 422 Grand Boulevard in the North Venice subarea of the Venice Coastal Zone Specific Plan. It is one of four adjoining vacant lots with a common property owner which were formerly developed with two 1,840 square-foot duplex buildings. The addresses of the three adjoining lots are 416 and 424 Grand Boulevard. The site is within a Methane Zone, is subject to earthquake-induced liquefaction, is within a Tsunami Inundation Zone, and is within the single permit jurisdiction area of the Coastal Zone.

The Director authorized the demolition of the buildings and the associated Mello Act clearances pursuant to DIR-2013-2903-VSO-MEL and DIR-2013-2910-VSO-MEL. The Coastal Commission issued a De Minimis Waiver for the demolition (05-13-0949). The applicant is requesting a coastal development permit to authorize the construction of a three-story 4,816 square-foot single-family dwelling with an attached 967 square-foot, two-car garage. Vehicular access is via the alley located at the southerly property line. The proposed dwelling has a varied roof and a height of 35 feet as measured from the centerline of the street. The applicant filed a concurrent coastal development permit application to construct a two-story 1,064 square-foot single-family dwelling on the adjacent lot to the west at 416 Grand Boulevard (ZA 2014-1356(CDP)). Under a separate application, a single-family dwelling is proposed at 424 Grand Boulevard (ZA 2014-3910(CDP)).

Chapter 3 of the Coastal Act contains the various policy provisions of such legislation. Pertinent to the instant request are the policies with respect to Development. Section 30250(a) states the following regarding new residential development:

...shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30253

Chapter 3 of the Coastal Act further states new development shall be located where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. New development shall be designed to protect the scenic and visual qualities of coastal areas. The property is located in a developed area of Venice that has adequate public services and is approximately 1/2-mile from the beach. The building records indicate that the duplex buildings located on the site were constructed in 1947. The proposed construction of a single-family dwelling is consistent with the site's RD1.5 zoning and with the historic use of the property. The dwelling's height, density, floor area, setbacks and parking are consistent with the LAMC and Venice Coastal Zone Specific Plan regulations. The dwelling will be constructed in conformance with the 2013 Green Building Code and the 2013 Building Code that mandate the using of energy efficient appliances, green building materials, and water conservation in new developments. Grading consists of .35 cubic yards of cut and 25 cubic yards of fill. The project will be required to comply with the City's Best Management Practices for controlling runoff during and after

The fact that these developments are located in the historic "Lost Canals" area is not mentioned in the City's Finding re. the development being in conformity with Chapter 3 of the Coastal Act re. ensuring compatibility with the existing neighborhood's character and scale.

This is a material omission.

does not mention same owner

and Coastal Act Section 30251 states "Permitted"

sited and

JOS

CASE NO. ZA 2014-1358(CDP)

What is the basis for this conclusion?

PAGE 9

construction. The construction of the proposed single-family dwelling will have no adverse effects on public access, recreation, public views or the marine environment. There will be no dredging, filling or diking of coastal waters or wetlands associated with the project. As conditioned, the proposed development will be in conformity with the Coastal Act.

2. The development will/will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Coastal Commission certified the Venice Local Coastal Land Use Plan ("LUP") on June 14, 2004; however, the necessary implementation ordinances have not been adopted. The City is in the initial stages of preparing the LCP and prior to its adoption the LUP guidelines are advisory. Policy LA 2 of the LUP states: "ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development."

The property is located on a residential section of Grand Boulevard developed with single- and multi-family dwelling that are one to three stories. Over the past ten years there have been numerous two- and three-story dwellings constructed on the subject and adjacent blocks. The design, density, and scale of the proposed two-story single-family dwelling are allowed under the site's RD1.5-1-O Zone, its Low Medium Density land use designation, and with the Venice Coastal Zone Specific Plan. Approval of the single-family development will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

3. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.

The Coastal Commission's Regional Interpretive Guidelines have been reviewed and considered. The guidelines for North Venice were adopted by the Commission in 1980, prior to the adoption of the LUP and the Venice Coastal Zone Specific Plan. Following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in

Not accurate AND no facts or proof provided.

Fails to mention that the CCC allows for the LUP to provide guidance re compliance with the Coastal Act and uses it itself in its Findings.

No, it's 3 story (we have seen this ZA make this kind of mistakes before - she does by rote & does not do any analysis)

△ This Finding is inadequate and fails to show that the development will not prejudice the LCP. In order to "FIND" a lack of prejudice must show that the development is compatible (or not incompatible) with the existing neighborhood's character and scale. These 2 sentences do not show that. Our Finding shows that they are NOT compatible. This Finding only serves to homogenize the neighborhoods and exploit & undermine the process.

Exhibit B 1 of 12

Chapter II LAND USE PLAN POLICIES

POLICY GROUP I.

LOCATING AND PLANNING NEW DEVELOPMENT/COASTAL VISUAL RESOURCES AND SPECIAL COMMUNITIES

INTRODUCTION

Developed as a beach resort, Venice was known as the Coney Island of the Pacific. Historically it has attracted people from all social and ethnic groups to the coast to live, work and play. While little remains of the "Venice of America" that was built by Abbot Kinney, Venice is still strongly influenced by its past. Each weekend hundreds of thousands of people are still attracted to the shore to enjoy the ambience of this coastal community. Kinney envisioned Venice to be more than a resort and today it is home to 32,270 permanent residents many of whom inhabit the small summer homes built on substandard lots along paved streets over canals. Others live on substandard lots (many are less than 3,000 square feet in area) that have been redeveloped with more substantial single-family homes and multi-unit structures. Yet Venice remains the quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing. Diversity of lifestyle, income and culture typifies the Venice community. United by the term Venetians with all its connotative meanings, Venice is really a group of identifiable neighborhoods with unique planning and coastal issues.

As a result of prior development and changes in land use, there has emerged a blend of residential uses of various intensities, commercial uses and some minor industrial uses. Housing is located in single-family homes, multi-family dwellings, and mixed-use structures including live/work artist studios. Although many of the commercial uses are oriented to the automobile traffic, there are numerous instances of commercial uses which are more pedestrian oriented, particularly near the beach. While Venice contains traditional light industrial uses it also has a concentration of industrial structures which house artist galleries and live/work studios. Much of this unusual mixture of uses has its origin in the area's initial amusement park activities.

The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines. Lots range in size from less than 3,000 square feet near the beach to 5,000 square feet closer to Lincoln Boulevard. Few of the original canals remain. Most have been filled in and have become streets for vehicular traffic, while others are now part of the system of walk streets.

The requirements of the California Coastal Act, the historic development of the community, and the traffic study conducted for the LCP in conjunction with numerous planning workshops held in the community were among the factors considered in assigning Land Use Categories in the plan.

Venice Local Coastal Program

II-1

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Residential land use densities in this LCP have been assigned in the Venice coastal area to reflect the year 2010 Venice population as projected by the Southern California Association of Governments (SCAG). Based on circulation and infrastructure limitations, the assigned Land Use Categories result in substantially lower build out densities than current zoning capacity. The development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass. New residential development is linked to the availability of public services and infrastructure, and in addition to traffic consideration, environmental and coastal access concerns as required by the Coastal Act.

Based upon the SCAG projections, the coastal zone within the Venice Community Plan area has a projected (year 2010) population of approximately 38,325 persons. This represents an increase of approximately 19 percent (or 6,055 persons) over the existing population of approximately 32,270 persons (as of 1990). This is based upon a constant rate of projected growth to all Los Angeles communities and assumes a projected growth which would occur if current trends remain unchanged.

Coastal Act Policies

The policy groups covered by this part of the LUP address the following Sections of the California Coastal Act, which are included as part of the Land Use Plan:

Section 30244. *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Officer, reasonable mitigation measures shall be required.*

Section 30250.

- a. *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*
- b. *Where feasible, new hazardous industrial development shall be located away from existing developed areas.*
- c. *Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.*

☆ **Section 30251.** The scenic and visual qualities of coastal areas shall be

Venice Land Coastal Program

11-2

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considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30252. The location and amount of new development should maintain and enhance public access to the coast by:

1. facilitating the provision or extension of transit service,
2. providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads,
3. providing non-automobile circulation within the development,
4. providing adequate parking facilities or providing substitute means of serving the development with public transportation,
5. assuring the potential for public transit for high intensity uses such as high-rise office buildings and, by
6. assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.

not being done

Section 30253. New development shall:

1. Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
2. Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas or in any way require the construction of protective devices that would substantially alter natural land forms along bluffs and cliffs.
3. Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.
4. Minimize energy consumption and vehicle miles traveled.
5. Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor

Venice Local Coastal Program

11-3

4 of 12

destination points for recreational uses.

Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the services would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Section 30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Section 30261 and 30262 if:

1. alternative locations are infeasible or more environmentally damaging;
2. to do otherwise would adversely affect the public welfare; and
3. adverse environmental effects are mitigated to the maximum extent feasible.

LAND USE PLAN POLICIES AND IMPLEMENTATION STRATEGIES**Residential Land Use
and Development
Standards**

Policy I. A. 1. Residential Development. The maximum densities, building heights and bulks for residential development in the Venice Coastal Zone shall be defined by the Land Use Plan Maps and Height Exhibits (Exhibits 9 through 16), and the corresponding land use categories and the development standards as described in this LUP. Refer to Policies II.C.10 for development standards for walk streets and to Policies II.A.3 and 4 for parking requirements.

a. **Roof Access Structures.** Building heights and bulks shall be controlled to preserve the nature and character of existing residential neighborhoods. Residential structures may have an enclosed stairway (roof access structure) to provide access to a roof provided that:

- i. The roof access structure shall not exceed the specified flat roof height limit by more than 10 feet;
- ii. The roof access structure shall be designed and oriented so as to reduce its visibility from adjacent public walkways and recreation areas;
- iii. The area within the outside walls of the roof access structure shall be minimized and shall not exceed 100 square feet in area as measured from the outside walls; and,
- iv. All roof access structures shall be set back at least 60 horizontal feet from the mean high tide line of Ballona Lagoon, Venice Canals, Grand Canal and the inland side of the Esplanade (City right-of-way).

Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

b. **Residential Lot Consolidations.** In order to preserve the nature and character of existing residential neighborhoods, lot consolidations shall not be permitted in the Venice Canals and Silver Strand residential neighborhoods. No more than two lots may be consolidated in the Ballona Lagoon West, Ballona Lagoon (Grand Canal) East, Southeast Venice, Milwood, North Venice and Oxford Triangle neighborhoods and on walk streets. Lot consolidations of not more than three lots shall be permitted in the Oakwood and Marina Peninsula residential neighborhoods. Lot consolidations may be permitted only subject to the following limitations:

- i. No building or structure shall be constructed on what were more than two contiguous lots prior to lot consolidation with the exception of subterranean development that is entirely below street elevation.
- ii. Building facades shall be varied and articulated to provide a

Venice Local Coastal Program

II-5

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pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street. No increase in the number of units shall result from the lot consolidation.

- III. Front porches, bays and balconies shall be provided to maximize architectural variety.

Single-Family Residential

The Venice LUP recognizes the importance of the existing pedestrian scale single-family residential neighborhoods and the need to conserve them. As most communities, the greater portion of Venice was originally developed with single-family homes for both permanent residents and as temporary resort housing. Today stable single-family neighborhoods continue to exist in portions of Venice. While the standard low density, one unit per 5,000 square foot lot is common in Venice, single-family homes on lots as small as 2,500 square feet are just as common and a reminder of the community's origin as a resort town. The maintenance of the character and density of these stable single-family neighborhoods is consistent with the objectives of the State Coastal Act and the City's General Plan.

Policy 1. A. 2. Preserve Stable Single-Family Residential Neighborhoods. Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development. A second residential unit or an accessory living quarter may be permitted on lots designated for single-family residence land uses, provided that the lot has a minimum lot area of 4,600 square feet in the Venice Canals subarea, or 10,000 square feet in the Silver Strand, Southeast Venice, or Oxford Triangle subareas, and all units conform to the height limit, parking requirements, and other development standards applicable to the site.

Policy 1. A. 3. Single-Family Dwelling - Low Density. Accommodate the development of single-family dwelling units in areas designated as "Single-family Residential" and "Low Density" on the Venice Coastal Land Use Plan. (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and the Oxford Triangle

Use: Single-family dwelling / one unit per lot

Density: One unit per 5,000 square feet of lot area

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Fig. No fill may be placed in the lagoon and buffer except for the minimum necessary for weekend restoration and public access.

Dupont Multi-Family Residential

It is the intent of Venice LUP to maintain existing stable multi-family residential neighborhoods. In those stable neighborhoods characterized by a mix of densities and dwelling types, permitted densities may be reduced to levels consistent with the character of the entire area in order to minimize impacts on infrastructure, services, and to maintain or enhance the residential quality of life. The loss of potential units in these locations can be offset by the provision of new housing opportunities via bonuses for the replacement of affordable housing and in mixed-use development.

Policy 1. A. 5. Preserve and Protect Stable Multi-Family Neighborhoods. Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residential quality of life will be maintained and improved.

Policy 1. A. 6. Multi-Family Residential - Low Medium Density. Accommodate the development of duplexes and multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium Density" on the Venice Coastal Land Use Plan (Exhibits 8 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and Milwood

Use: Two units per lot, duplexes and multi-family structures

Density: One unit per 2,500 square feet of lot area. Lots smaller than 5,000 square feet are limited to a maximum density of two units per lot.

Replacement Unit/Bonus Density: Lots greater than 5,000 square feet can add bonus density at the rate of one unit for each 2,000 square feet in excess of 5,000 square feet. In lot area if the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies 1.A.9 through 1.A.16).

Yards: Yards shall be required in order to accommodate the need for the safety, open space, permeable hard area for on-site parking of automobiles, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 28 feet for buildings with flat roofs, or 30 feet for buildings with sloped roofs, or vaulted roofs. (See LUP Policy 1.A.1 and LUP Height Exhibit 13-16).

Policy 1. A. 7. Multi-Family Residential - Low Medium Density. Accommodate the development of multi-family dwelling units in the areas

Use: Low-Cost Density
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stamen, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 35 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy LA.1 and LUP Height Exhibits 13-16).

d. Oakwood, Midwood, Southeast and North Venice

User: Duplexes and multi-family structures.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units.

Replacement Units/Rooms Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5, or one unit for each 2,000 square feet of lot area in excess of 4,000 square feet on parcels zoned RD2. If the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies LA.9 through LA.16).

Yards: Yards shall be required in order to accommodate the need for the safety, open space, permeable land area for on-site pervaporation of stormwater, and feasible transition consistent with the existing scale and character of the neighborhood.

Height:

Oakwood, Midwood, and Southeast Venice: Not to exceed 25 feet for buildings with flat roofs, or 30 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 25 feet in height shall be set back from the required front yard one foot for every foot in height above 25 feet. Structures located along walk streets are limited to a maximum of 28 feet. (See LUP Policy LA.1 and LUP Height Exhibits 13-16).

North Venice: Not to exceed 30 feet for buildings with flat roofs, or 35 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet. Structures located along walk streets are limited to a maximum height of 28 feet. (See LUP Policy LA.1 and LUP Height Exhibits 13-16).

Policy 1. A. 8. Multi-Family Residential - Medium Density. Accommodate the development of multi-family dwelling units in the areas designated as Multiple Family Residential and Medium Density on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

9 of 12

10 of 12

multi structures.

area. Lots smaller than density of two units per

other than 4,000 square feet/lot unit for each lot of 1.5 acres if the unit is not very low income.

1/2 lot or 35 feet for them. The portion of the shall be set back one foot. Structures located height of 28 feet. (See 15).

replacement standards for the LUP.

along. For the provisions referred to as the "Mileo" shall not be permitted if of those dwelling units the Venice Community Overlaid Code (Mileo

along. The replacement ing areas, listed in order shed structure, 2) within Venice Coastal Zone, 4) can Boulevard, and, 5)

Replacement Units, must replaced for each according to how far from delivered to the Nails Act.

by. Displaced residents (rental units).

Required replacement

Venice Coastal Project
11-13

110516

Adjacent Use/Development: The only permitted development adjacent to the canals and lagoon shall be habitat restoration, single-family dwellings, public parks and walkways, subterranean or surface public parking lots, maintenance activities and emergency repairs. Surface public parking lots shall be permitted only where sufficient access and roadway capacity exists to accommodate such parking. New construction along the Canals, and Ballona Lagoon shall comply with standards for setbacks, noise barriers, landscape plan, pervious surfacing with drainage control measures to filter storm run-off and direct it away from environmentally sensitive habitat areas, buffer areas in permanent open space, land dedication for erosion control, and wetland restoration including off-site drainage improvements. For more details refer to the provisions contained in Policy Group I.A., Residential Land Use and Development Standards, and Policies IV.C.1 and IV.C.2, Stormwater Runoff and Circulation.

Policy I. D. 2. Venice Beach. Venice Beach stretches along the coast from Navy Street on the north to the entrance channel of Marina Del Rey.

Use/Density: The beach shall be zoned Open Space and used for public recreation. There should be no further construction on the beach other than police substation, City's and County's operational and management offices, recreational and accessory facilities such as playground equipment, athletic facilities, restrooms, lifeguard stations, bikeways, related short-term bicycle parking, walkways, lighting facilities where appropriate, and necessary expansion of existing or installation of new infrastructure. Reconstruction and rehabilitation of existing facilities shall be encouraged. Development shall be sited to protect Least Tern nesting areas and other environmentally sensitive habitat areas.

Policy I. D. 3. Views of Natural and Coastal Recreation Resources. The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A and I.B, Residential and Commercial Land Use and Development Standards of this LUP, in order to protect public views of highly scenic coastal areas and vista points, including, but not limited to, the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

Policy I. D. 4. Signs. Roof top signs and billboards are prohibited in all land use categories. Business identification signs shall comply with the height limits and development standards specified in the LUP to ensure they do not adversely affect view sheds and view corridors.

**Preservation of Venice
as a Special Coastal
Community**

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk,

Venice Local Coastal Program

11-26

12.05.12

height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

Implementation Strategies

The LUP shall include development regulations and procedures (with respect to bulk, scale, height, setbacks, density, landscaping and types of use) to implement these policies.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

Policy I. E. 4. Redevelopment. Projects involving large-scale land acquisition and clearance shall be discouraged in favor of rehabilitation, restoration and conservation projects, especially those involving single-family dwellings.

Policy I. E. 5. Nonconforming Structures. Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply:

Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

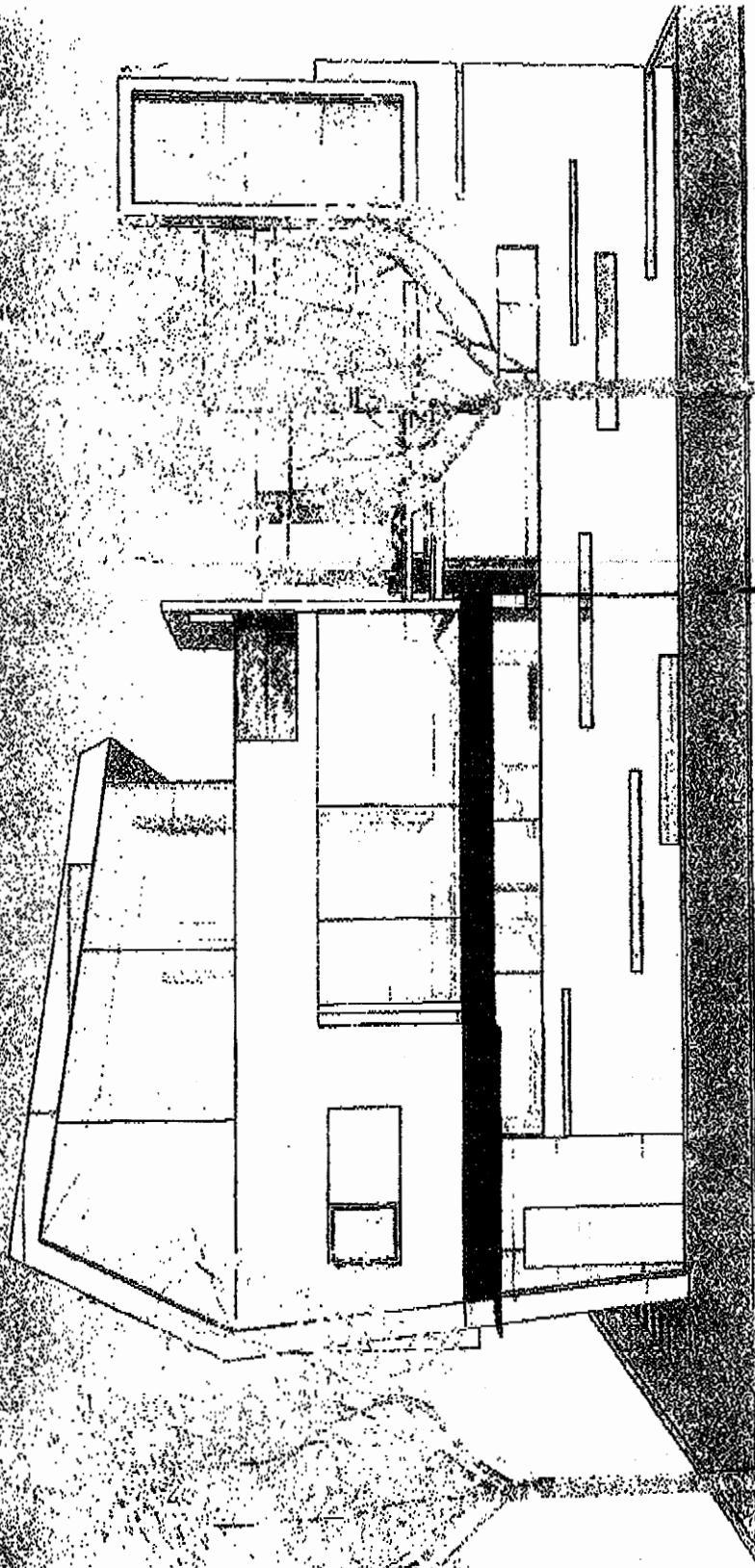
Policy I. E. 6. Constitution. This LUP/LCP is not intended, and shall not be construed, as authorizing the City to exercise its power to grant or deny a permit in a manner which will constitute an unconstitutional taking of private property for public use. This policy is not intended to increase or

Exhibit C lot 4

Presented in CEQA File as 1 Project

ENV-2014-1357-MND

Venice Coastal Zone Specific Plan does not allow consolidation of 3
residentially-zoned lots in the North Venice Subarea



418-422 GRAND BLDG ! 416 GRAND BLDG

ZA 2014-1356
ZA 2014-1358

Presented to Community & LUPC/Venice Neighborhood Council Board as 2 Distinct &

Separate Projects, With 2 Separate CDP's

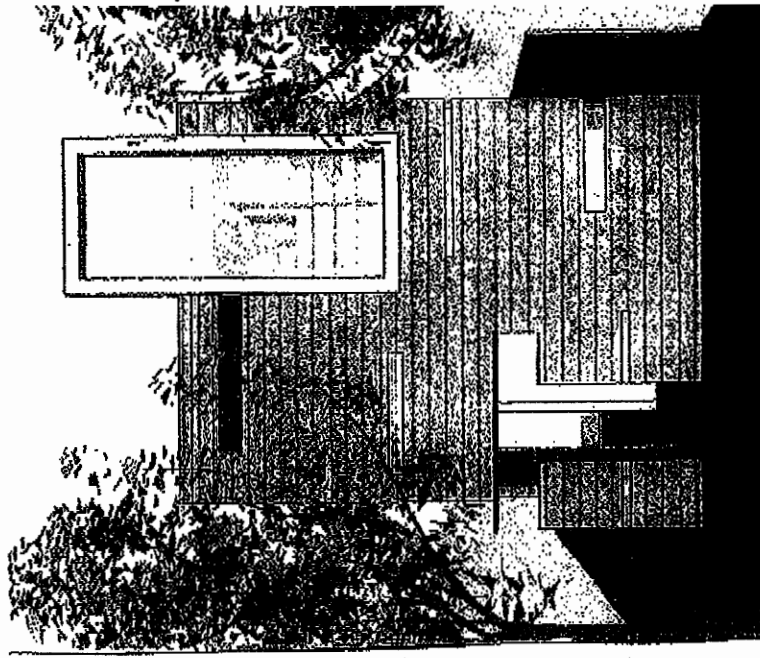


418-422 Grand Blvd: ZA-2014-1358-CDP

5,200 sq ft

35' high, 3 story

lots 7-8 - 4,505 sq ft



416 Grand Blv: ZA-2014-1356-CDP

1,064 sq ft

30' high, 2 story

lot 6 - 2,252 sq ft

261

SOT



Eric Garcetti, Mayor
Mercedes M. Márquez, General Manager

Asset Management Division
1200 West 7th Street, 8th Floor, Los Angeles, CA 90017
tel 213.808.8593
hcid@lacounty.org

Date: June 27, 2013

To: Greg Shoop, City Planner
City Planning Department

From: Douglas Swoger, Director of Asset Management
Los Angeles Housing and Community Investment Department

Subject: Mello Act Determination for
416-418 & 422-424 Grand Blvd, Venice, CA 90291

Based on information provided by the owner, 416 and 418 Grand Blvd. LLC, a California limited liability company, the Los Angeles Housing and Community Investment Department (HCID) has determined that four (4) affordable units exist at 416-418 & 422-424 Grand Blvd, Venice, CA 90291.

The property consists of two (2) duplex dwellings. Each unit is composed of one (1) bedroom. Per the statement provided by the owner, 416 and 418 Grand Blvd LLC, the two duplexes will be demolished and replaced with one (1) single family dwelling spanning 3 of the 4 lots. The 4th lot will be incorporated into a future project. The owner purchased 416-418 Grand Blvd on July 30, 2012 and 422-424 Grand Blvd on August 8, 2012. A Building Permit has not been filed to date.

Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act requires that LAHD collect monthly housing cost data for at least the previous three years. The owner's Mello application statement was received by LAHD on May 26, 2013. LAHD must collect data from: May, 2010 through May, 2013.

Per the owner, Unit 416 and 418 are currently tenant occupied and Unit 422 and 424 were vacated by tenants on March 18, 2013. Monthly rent for Unit 416 is \$1,240 per month with tenancy that started on February 2012. Monthly rent for Unit 418 is \$1,146 per month with tenancy that started on July 1995 at \$750 per month. Monthly rent for Unit 422 was \$1,022 per month and monthly rent for Unit 424 was \$1,630 per month. LAHD sent the required 30-day letter to each unit, however only Unit 416 responded in disclosing their income and rent on the Request for Determination as Eligible Household Under Mello Act Regulations form.

The rental agreement provided for Unit 416 and 418 show a pattern of housing cost that is affordable. There was no rental agreement for Unit 422 and 424. Per the owner's Statement, the stated rent for Unit 422 was at an affordable level and Unit 424 was above affordable. However, due to insufficient documentation for Unit 424, LAHD policy is to find it affordable.

cc: Los Angeles Housing and Community Investment Department File
416 and 418 Grand Blvd. LLC, a California limited liability company, Owner
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browns, Legal Aid Foundation of LA.

DS:VD:MAC:rl

An Equal Opportunity / Affirmative Action Employer

416 Grand Blvd

418-422 Grand Blvd

4057

ground floor: windows, balconies, landscape, front porches, bays?

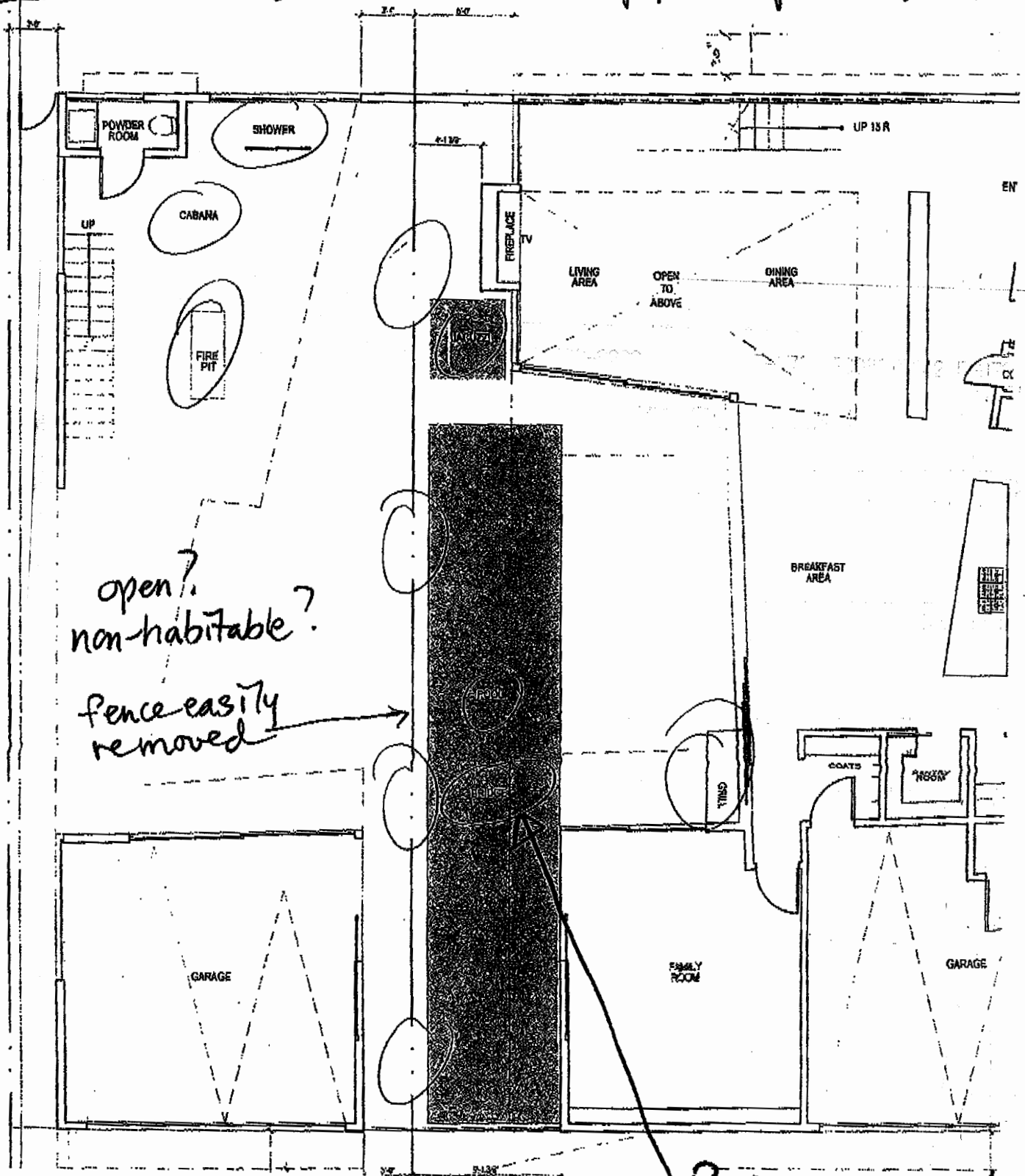


EXHIBIT D 1013

STREETSCAPE=400 BLOCK OF GRAND BLVD

ANALYSIS OF STREETSCAPE IN SURROUNDING NEIGHBORHOOD/BLOCK OF PROPOSED PROJECTS AT 416 GRAND BLVD & 418-422 GRAND BLVD

Address	# of Units	# of Stories	Roof	Style	Lot Sq. Ft.	House Sq. Ft.	House/Lot	Year Built
---------	------------	--------------	------	-------	-------------	---------------	-----------	------------

PROPOSED PROJECTS:

416 Grand (1 lot)
418-422 Grand (2 lots)
As per plans submitted with CEQA case ENV-2014-1357-AMND (same AMND for 416 & 418-422 Grand); & also as per Initial Letter from L.A. Housing on 6/27/15 (per statement from Owner); re: determination of 2-affordable units, the owner plans to build 3 SFDs spanning 3 lots.

THIS BLOCK IS PART OF THE HISTORIC "LOST CANALS" DISTRICT, and signage stating this is in process of being installed at entrance & exit of this neighborhood.

Conclusion:

The proposed projects are almost twice the mass of the average size of dwellings on the existing block/surrounding neighborhood. 96% square footage over lot size for proposed project vs. 53% average for the surrounding neighborhood.

This project is materially incompatible with the existing neighborhood in terms of character, mass and scale.

Grand, South Side of Block (even #'d addresses)

400-410-414 (3 lots)
416-418 (2 lots)
422-424 (2 lots)
426-428 (2 lots)
430-434 (2 lots)
1803 Andalusia (2 lots)

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VENICE LUP POLICIES (certified by the Coastal Commission June 14, 2001)

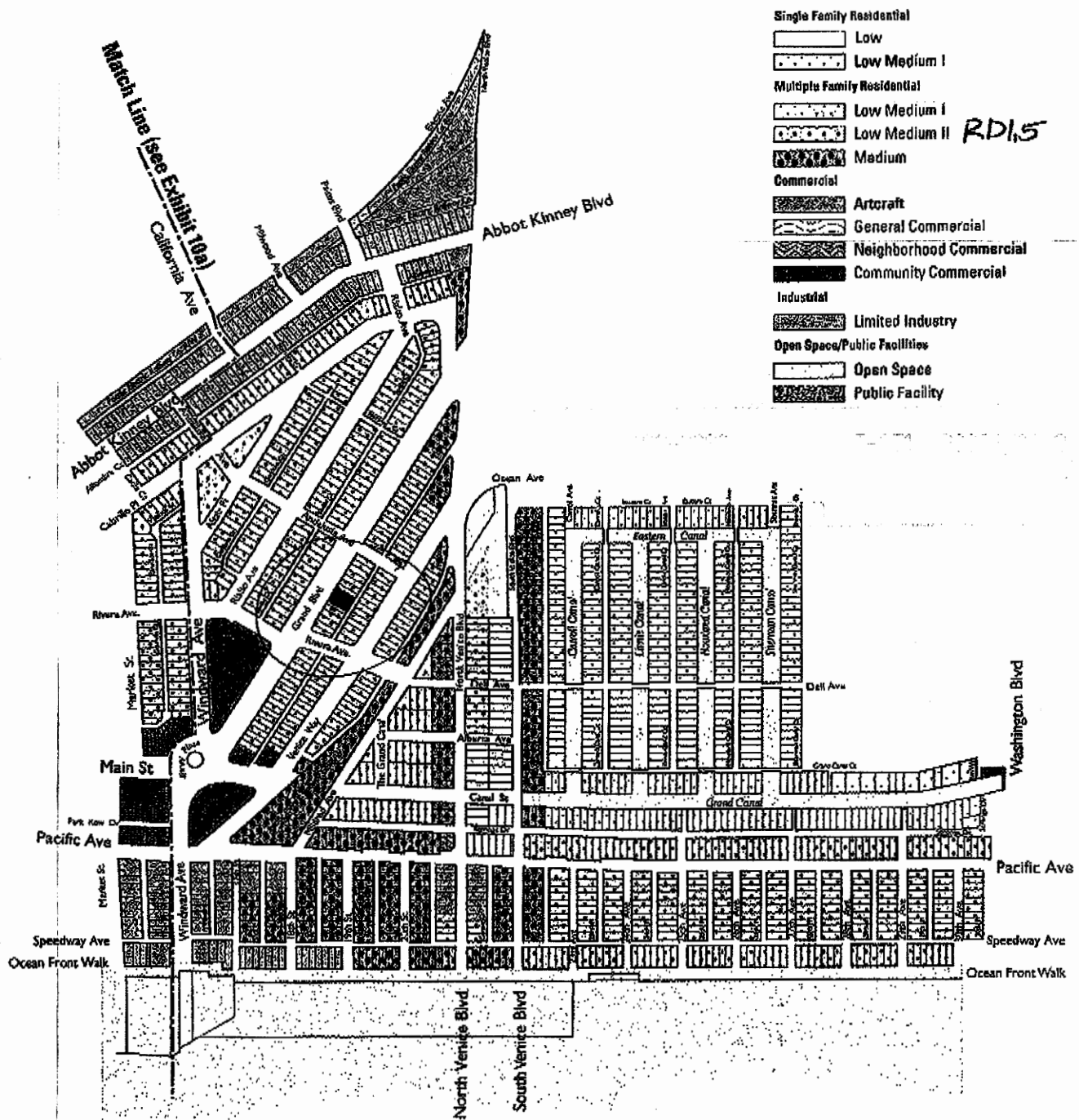


Exhibit 10b
Land Use Plan (Map): North Venice • Venice Canals



3 of 5

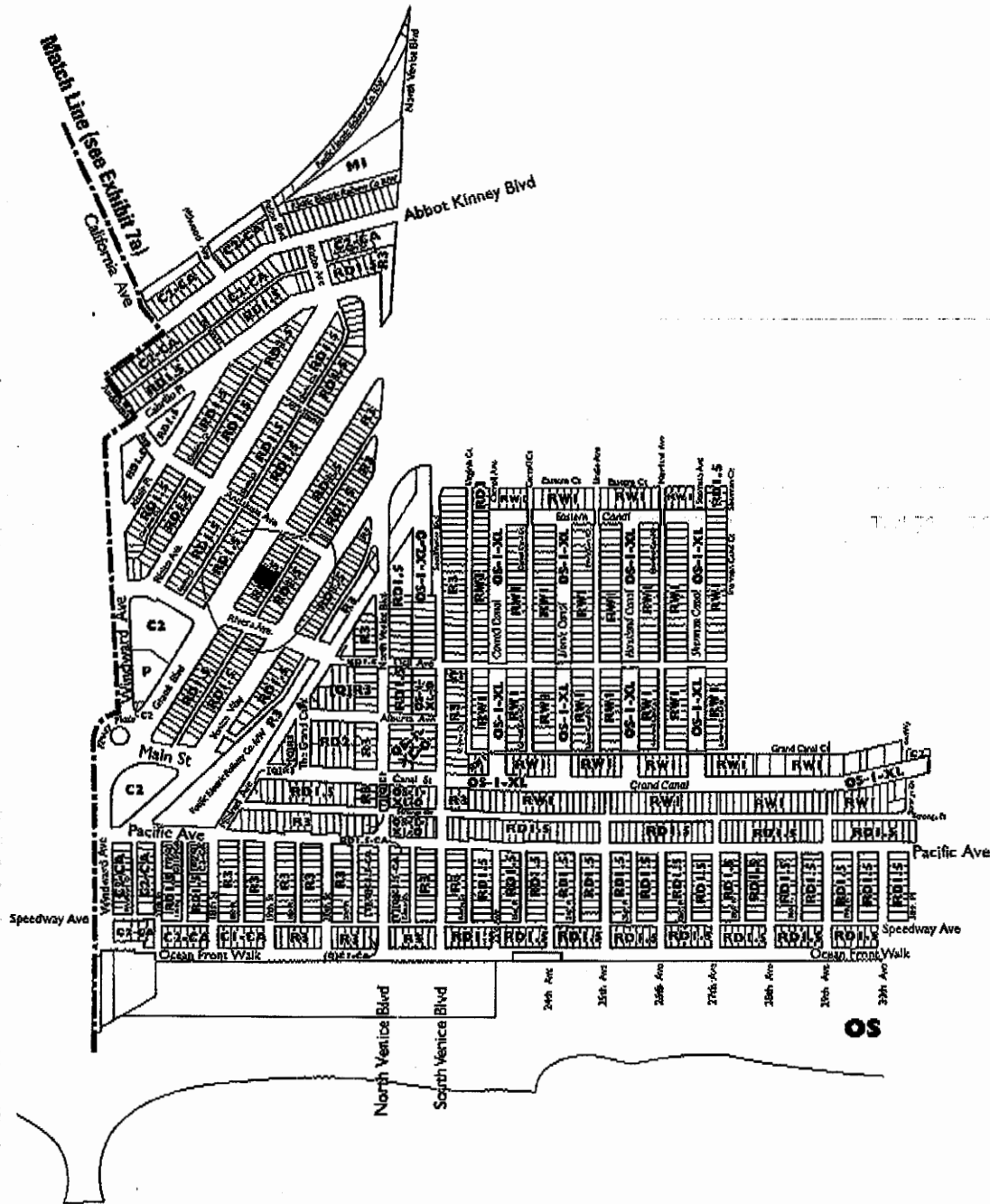


Exhibit 7b
Existing Zoning
Subarea: North Venice • Venice Canals



4085

HISTORY | LA AS SUBJECT

The Lost Canals of Venice of America

by Nathan Masters

April 5, 2013 9:11 AM

SHARE



Tweet 146

+1 13

Like 8.8k



A gondolier rows through one of Venice of America's original canals, now a paved roadway. Courtesy of the Los Angeles Public Library Photo Collection.

The picturesque canals of Venice, California, are one of the seaside community's hidden charms, secreted away from the hustle and bustle of the famous boardwalk. But in Venice's early years, the canals that survive today -- restored in the 1990s after decades of neglect -- were only a sideshow. The main attraction -- the original canals of Abbot Kinney's Venice of America -- are lost to history, long ago filled in and now disguised as residential streets.

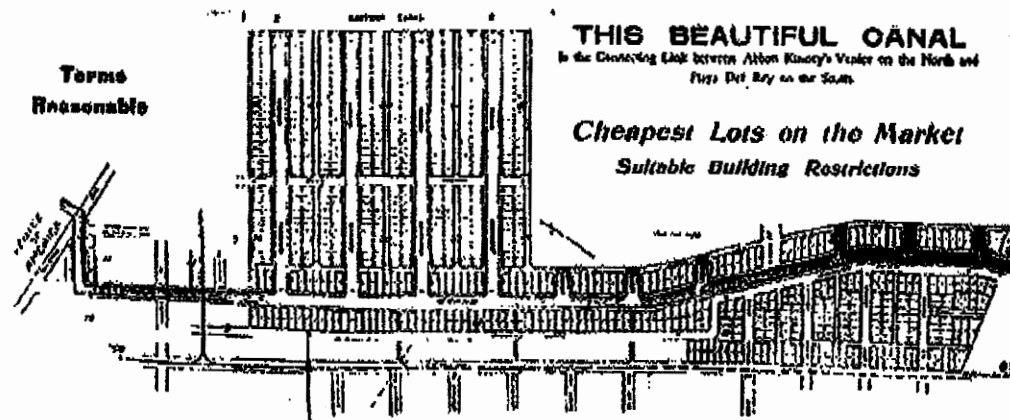
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Abbot Kinney's original plan for Venice of America. All the canals pictured here are now paved roads. Courtesy of the Los Angeles Public Library Map Collection.

OCEAN PARK

VENICE CANAL SUBDIVISION



STRONG & DICKINSON

310 SOUTH BROADWAY, LOS ANGELES
9005 Phone 1779

Robert Marsh & Co.

200 E. W. Hoffman Building
Both Phones 8143 Los Angeles

A 1910 advertisement for the Venice Canal Subdivision, which encompassed the canals that survive to this day. Courtesy of the Library of Congress.

The original Venice of America canals helped make Kinney's real estate development a success. Lots fronting the canals became a favorite choice for owners of the local amusement concerns or out-of-town tourists looking for a place to pitch a summer cottage. But by the 1920s, the canals had become seen as an obstacle to progress. Many visitors were now arriving by automobile, but Venice offered scarce parking, and its streets were designed for pedestrians, not motorcars. In the eyes of business owners and city leaders, the canals looked like an opportunity to open up their community to the automobile.

In 1924, the city of Venice -- then still an independent municipality -- resolved to adapt its transportation infrastructure for the automobile age. The two Pacific Electric trolleyways running through the city would be widened and paved -- today they're appropriately named Pacific and Electric avenues -- and the canals would be filled in and converted into public roads.

Residents resisted the move. Those who lived along the canals worried that their homes would lose their waterfront appeal, and many in the community questioned the logic of a city with the name of Venice but no canals. Most importantly, property owners rebelled against a special assessment that would be levied on their holdings to finance the conversion.

Exhibit E 1076

VENICE

Local Coastal Program

LAND USE PLAN

Chapter I

INTRODUCTION

THE COASTAL ACT

This plan has been prepared to comply with the California Coastal Act of 1976. The Coastal Act directs each local government lying wholly or partly within the Coastal Zone to prepare a Local Coastal Program (LCP) for those areas located in the State's designated Coastal Zone. The Venice Coastal Zone is the area generally bounded by Marine Street on the north, the City-County boundary, Washington Boulevard and Via Marina on the south, Lincoln Boulevard and Via Dolce on the east, and the Pacific Ocean on the west (see Exhibit 1, Vicinity Map and Exhibit 2, Venice Coastal Zone Map).

ORGANIZATION OF THE VENICE LOCAL COASTAL PROGRAM

The Local Coastal Program (LCP) consists of a local government's land use plans, zoning ordinances, zoning district maps, and other implementing actions which implement the provisions and policies of the California Coastal Act at the local level. The LCP contains a Land Use Plan (LUP) and a Local Implementation Plan (LIP).

The LUP consists of LCP Chapters 1 and 2, the maps entitled "Venice Coastal Land Use Plan Maps", and Exhibits 1 through 23 with the emphasis placed upon establishing plan goals and defining policy. It indicates the "kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions."

The LIP will consist of LCP Chapter 3 and will contain the regulatory controls and incentives for the systematic implementation of the LUP. The LIP will be comprised of a specific plan and related implementing ordinances and zoning map. The LIP will implement the certified LUP with specific zoning designations and development standards for all uses within the Venice Coastal Zone.

VENICE LOCAL COASTAL PROGRAM

I-1

2076

SUMMARY OF COASTAL ISSUES

Chapter 3 of the California Coastal Act outlines the following 14 policy groups which must be addressed, if applicable, in the LCP.

1. Shoreline Access
2. Recreation and Visitor-Serving Facilities
3. Housing
4. Water and Marine Resources
5. Diking, Dredging, Filling and Shoreline Structures
6. Commercial Fishing and Recreational Boating
7. Environmentally Sensitive Habitat Areas
8. Agriculture
9. Hazards
10. Forestry and Soils Resources
11. Locating and Planning New Development
12. Coastal Visual Resources and Special Communities
13. Public Works
14. Industrial and Energy Development

The City and California Coastal Commission seek the widest possible public input to identify local coastal issues. To this end, the Department of City Planning has had an ongoing program of citizen involvement. Starting in 1978 seven public meetings were held in both coastal and inland communities. The 14 policy groups were distributed at the meetings to inform the public of the general scope of the coastal issues. In addition, federal, state and local agencies were contacted for their input. City staff and Coastal Commission staff held several subsequent meetings to determine which of the 14 California Coastal Act policies applied in Venice, to identify the extent to which existing plans met Coastal Act requirements, and to delineate any potential conflicts between existing plans, development proposals and the policies of the Coastal Act. The resulting local issues were translated into a Work Program, which was approved in 1979 by the City and the California Coastal Commission. The Work Program issues are outlined in Exhibit 3. Coastal policy groups which were considered inapplicable to the Venice Coastal Zone are Commercial Fishing, Agriculture, Forestry and Soils, and Energy Development.

Since 1979, the Coastal Act has been amended to remove the policies that related to the protection of affordable housing in the coastal zone. The responsibility for carrying out the provisions of Government Code Section 65915 (Affordable Housing) now rests with local government.

VENICE LOCAL COASTAL PROGRAM

I-2

EXHIBIT 3

SUMMARY OF VENICE COASTAL ISSUES

Locating and Planning New Development

Residential Land Use and Development

- * • Preservation of existing housing stock, and discouragement of conversion of residential uses to commercial use where appropriate.
- Provision of very low, low, and moderate income housing for a cross-section of the population, including persons with special needs.
- Illegal conversion of residential uses to commercial uses and illegal provision of residential uses.
- Enforcement and regulation of encroachments into public rights-of-way.

Commercial Land Use and Development

- Encouragement of coastal development, recreation, neighborhood- and visitor-serving facilities.
- * • Regulation of development which is out of scale with existing community character.
- Regulation of open-air vendors along Ocean Front Walk.
- Over-development of the Coastal Zone resulting in traffic congestion.
- Over-intensification of commercial uses.

Industrial and Railroad Rights-of-Way Land Use and Development

- Preservation of the existing industrial land use base and employment opportunities.
- Regulation of the location and types of non-coastal-dependent industrial uses.
- Appropriate use of railroad rights-of-way.

Development within Natural and Recreational Resource Areas/ Protection of Views

- Protection of existing natural and recreational resources, including the Venice Canals, Ballona Lagoon, Grand Canal south of Washington Boulevard, and Venice Beach.
- Protection of coastal views and vistas.

7056

*** Preservation of Venice as a Special Coastal Community**

- Preservation of community character, scale and architectural diversity.
- Development of appropriate height, density, buffer and setback standards.
- Development of a landscape plan.

Preservation of Cultural Resources

- Preservation and restoration, where feasible and necessary, of historical landmarks.
- Designation of historical sites as historic-cultural monuments.
- Preservation of significant archeological sites.

Shoreline Access**Parking**

- Conflict between residential and beach visitor parking.
- Inadequate signage of available parking for beach visitors on weekends resulting in added traffic congestion.
- Inadequate parking provided by non-conforming uses.
- Inadequate off-street parking near or on the beach frontage for visitors and residents.
- Intrusion of non-resident vehicles on residential streets to locate available parking spaces.
- Preventing polluted stormwater runoff from parking lots from entering the Venice Canals and Ballona Lagoon.

Alternate Transit and Traffic Management

- Lack of adequate alternate public transportation systems, including shuttle systems; park and ride facilities; (bikeways;) and public bus services.
- Lack of an adequate traffic management program to facilitate coastal access to and within the Venice Coastal Zone.

Pedestrian and Bicycle Access

- Inadequate access to walkways due to lack of adequate parking facilities.
- Walk streets are often illegally used as private driveways and parking.
- Open areas in activity nodes and special districts are often completely surfaced with asphalt and concrete without provisions for pedestrian

VENICE LOCAL COASTAL PROGRAM

I-4

5070

relief from the sun's heat and reflected glare. Resting places or other people-oriented accommodations are seldom provided.

C The eastern sidewalk of Pacific Avenue from Via Marina to Jib Street and the western sidewalk of Pacific Avenue from Driftwood Avenue to Mildred Street is unimproved and cannot be used for public pedestrian uses due to encroachments on public right-of-way and requirements for buffers for habitat protection.

- Lack of pedestrian walkways along the banks of the Venice Canals where the deteriorated sidewalks have been withdrawn from public use,* and along the banks of the Ballona Lagoon.
- Lack of bicycle routes to complement existing and future transportation modes.
- Inadequate maintenance of walkways and bikeways.
- Lack of convenient and secure bicycle (parking/storage) facilities provided at public buildings, retail uses, parks and multiple family housing developments.



Inadequate handicap access (e.g. vertical ramps) to the beach.

Recreation and Visitor-Serving Facilities

- Inadequate public support facilities, such as bike racks and storage lockers, public restrooms, outdoor eating areas, trash cans, recycling bins, etc.
- Inadequate visitor facilities on or near the Peninsula south of Washington Boulevard.
- Utilization of vacant, publicly owned lots on the Peninsula for recreational purposes.
- Identification, preservation and enhancement of existing recreational and visitor serving facilities, both private and public (including water faucets and restrooms).
- Inadequate recreational opportunities and pedestrian amenities, such as walkways, bikeways, walk street improvements, open space and viewing areas.
- Inadequate maintenance of public recreational facilities.

Water and Marine Resources, Environmentally Sensitive Habitat Areas

- Enhancement and maintenance of habitat value, including foraging habitat for the Least Tern, an endangered species.
- Invasion of non-native plant species along the banks of the Venice Canals, Ballona Lagoon and in the intertidal habitat zone.
- Regulation of surface runoff into the canals and the provision of adequate drainage.*

VENICE LOCAL COASTAL PROGRAM

1-5

6056

removed or replaced.

Replacement Unit: Any affordable housing unit to be provided as replacement for an existing unit on a project site.

Replacement Parking: Any parking space to be provided as replacement for an existing parking space on a project site.

Roof Access Structure: An enclosed stairway or elevator housing that provides access to a roof, but contains no storage, habitable or living area.

Sensitive Coastal Resource Areas: Those identifiable land and water areas within the Coastal Zone of vital interest and sensitivity, including the following:

- to be protected*
- a. Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the Coastal Plan.
 - b. Areas possessing significant recreational value.
 - c. Highly scenic areas.
 - d. Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
 - e. Special communities or neighborhoods which are significant visitor destination areas.
 - f. Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
 - g. Areas where divisions of land could substantially impair or restrict coastal access.

Service Floor: All areas where the customer can be served, except the bathroom, including the indoor and outdoor dining area, bar, waiting room and tavern.

Seven-Foot Contour: The mean sea level as defined by the U.S. Geological survey.

Silver-Strand Lagoon Buffer Strip: The strip of land (lagoon buffer) immediately adjacent to the Ballona Lagoon as approved in Coastal Commission Permit No. A-266-77, Permit Amendment No. A-266-77, and Appeal No. A-266-77.

Special Coastal Community: An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the

VENICE LEGAL COASTAL PROGRAM

I-16